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PALISADES CHARTER HIGH SCHOOL and
AMY NGUYEN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT

ROYA SAGHAFI, an individual,

Plaintiff,

vs.

PALISADES CHARTER HIGH SCHOOL, a
corporation; AMY NGUYEN, an individual; and
DOES 1 through 10,

Defendants.

CASE NO.: **BC708497**

*[Assigned for all purposes to the Honorable Ruth
Ann Kwan, Department 72]*

**DECLARATION OF ELLEN E. COHEN IN
SUPPORT OF DEFENDANT'S MOTION TO
COMPEL INDEPENDENT MENTAL
EXAMINATION OF PLAINTIFF; AND
REQUEST FOR MONETARY SANCTIONS**

[Filed Concurrently with the Memorandum of
Points and Authorities; Declaration of James R.
High, M.D.; and [Proposed] Order]

RESERVATION ID: 884806840494

Date: July 2, 2019
Time: 9:00 a.m.
Place: Department 72

Complaint Filed: June 1, 2018
FSC: July 19, 2019
Trial: July 29, 2019

DECLARATION OF ELLEN E. COHEN

I, Ellen E. Cohen, do declare:

1. I am a member of the State Bar of California and a principal at the law firm of Jackson Lewis P.C., attorneys of record for Defendants Palisades Charter High School and Amy Nguyen (collectively “Defendants”) in the lawsuit filed by Plaintiff Roya Saghafi (“Plaintiff”). If called as a witness, I would and could competently testify to all facts set forth below which are within my personal knowledge, except where stated upon information and belief.

2. Attached as Exhibit “A” is a true and correct copy of Plaintiff Roya Saghafi’s (“Plaintiff”) Complaint filed on or about June 1, 2018.

3. Attached hereto as Exhibit “B” is a true and correct copy of Plaintiff’s responses to Defendant Nguyen’s Form Interrogatories – General (Set 1) which were served on my office on or about November 27, 2018.

4. Attached hereto as Exhibit “C” is a true and correct copy of Plaintiff’s responses to Defendant Nguyen’s Interrogatories – Employment Law (Set 1) which were served on my office on or about November 27, 2018.

5. On April 17, I conducted the first session of Plaintiff’s deposition. Attached hereto as Exhibit “D” are true and correct copies of excerpts from the transcript of Plaintiff’s deposition on April 17, 2019 together with the court reporter’s certification.

6. Attached as Exhibit “E” is a true and correct copy of excerpts of Plaintiff’s First Amended Complaint, filed on March 6, 2019, for the lawsuit originally filed on March 13, 2018, case number SC128992, which was authenticated by Plaintiff during the first session of her deposition on April 17, 2018.

7. On April 22, 2019, I sent Plaintiff’s counsel, Ann A. Hull (“Ms. Hull”), a letter asking Plaintiff to stipulate to an IME by April 29, 2019. In that letter I included a draft stipulation, which stated that Plaintiff would be examined by Dr. James High (“Dr. High”), the psychiatrist that would be conducting the IME. Attached as Exhibit “F” is a true and correct copy of the April 22, 2019 correspondence sent to Plaintiff’s counsel, as well as the enclosed draft stipulation.

8. Attached as Exhibit “G” is a true and correct copy of the Curriculum Vitae of Dr. James

1 High.

2 9. On April 24, 2019, at the conclusion of Amy Nguyen's deposition, I spoke to spoke to
3 Ms. Hull explained the need for an IME and possible further testing due to Plaintiff's unique condition
4 and history, as well as Plaintiff's deposition testimony regarding her lawsuit against Access Specialty
5 Animal Hospitals. At that time, Ms. Hull indicated that she would confer with her client and advise
6 whether or not Plaintiff would stipulate to the IME.

7 10. On April 30, 2019, I spoke to Ms. Hull on the telephone and again inquired whether
8 Plaintiff would stipulate to an IME. At that time, Ms. Hull advised that she did not think that Plaintiff
9 would be willing to stipulate but that she would confirm with Plaintiff and notify me shortly.

10 11. Not having heard back from Ms. Hull, on May 6, 2019, I emailed Ms. Hull and requested
11 that Plaintiff confirm whether or not she would agree to stipulate to an IME. Attached as Exhibit "H" is
12 a true and correct copy of the email correspondence sent to Ms. Hull on May 6, 2019.

13 12. On or about May 7, 2019, I caused to be served on Ms. Hull Defendants' Demand for
14 Independent Mental Examination ("IME"). Attached as Exhibit "I" is a true and correct copy of the
15 Demand for Independent Mental Examination served upon Ms. Hull's office.

16 13. To date, Ms. Hull has not confirmed whether or not Plaintiff would stipulate to an IME.
17 and Defendants therefore seek relief from this Court.

18 14. I recognize that the presently scheduled hearing date for the Motion is past the non-expert
19 discovery cut-off date. However, this was the first available hearing date. I anticipate filing an *ex parte*
20 application shortly to request the Court to specially set the hearing date on this Motion such that the IME
21 can take place prior to the non-expert discovery cut-off date.

22 15. I have spent at least seven (7) hours preparing this Motion. My hourly rate on this matter
23 is \$260.00. As such, Defendants have incurred at least \$1,820.00 in attorneys' fees in connection with
24 this Motion.

25 I declare under penalty of perjury the foregoing is true and correct. Executed this 13th day of
26 May, 2019 at Los Angeles, California.

27 
28

ELLEN E. COHEN

EXHIBIT A

1 Ann A. Hull, Esq. SBN: 252855
2 Hannah J. Robinson, Esq. SBN: 304481
3 LAW OFFICES OF ANN A. HULL, INC.
4 21900 Burbank Blvd., Third Floor
5 Woodland Hills, CA 91367
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8 Attorney for Plaintiff, ROYA SAGHAFI

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Superior Court of California
County of Los Angeles

JUN 01 2018

Sherri R. Carter, Executive Officer/Clerk
By: Glorietta Robinson, Deputy

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

11 ROYA SAGHAFI, an individual,

12 Plaintiff,

13 v.

14 PALISADES CHARTER HIGH SCHOOL,
15 a corporation; AMY NGUYEN, an
16 individual; and DOES 1 through 10,

17 Defendants

Case No.:

BC 7 0 8 4 9 7

Filed:

Judge:

Department:

JURY TRIAL DEMANDED

COMPLAINT FOR:

- (1) Intentional Infliction of Emotional Distress;
- (2) Defamation per se;
- (3) Hostile Work Environment Harassment in Violation of the FEHA;
- (4) Retaliation in Violation of Public Policy (FEHA);
- (5) Failure to Provide Timely Access to Employee Payroll and Personnel Records;
- (6) Disparate Treatment (Discrimination) (FEHA); and,
- (7) Failure to Prevent Harassment, Discrimination or Retaliation in Violation of the FEHA.

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STATEMENT OF THE CASE

1. This is an action by ROYA SAGHAFI ("Plaintiff" or "Ms. Saghafi"), an individual. PALISADES CHARTER HIGH SCHOOL ("Pali High" and "Defendant") is a corporation that operates a high school. Plaintiff is seeking damages resulting from Defendants' intentional, wrongful, deceptive, retaliatory, and malicious conduct.

PROTECTED STATUS

2. Ms. Saghafi, is over 40 years of age, female, Muslim, and from Iran.

FACTS COMMON TO ALL CAUSES OF ACTION

3. At all times relevant to this complaint, Ms. Saghafi was an excellent science teacher and was qualified to perform her job duties.

4. Ms. Saghafi began teaching at Palisades Charter High School in 2002.

5. At the end of the business day, on the Friday before the Labor Day weekend in 2002, Ms. Saghafi was given the key to the classroom where she was scheduled to teach for the first time. Upon entering the classroom, Ms. Saghafi was surprised to see that it appeared that several dumpsters had been emptied into the classroom and that the floor, desks, chairs, and counters were covered with trash and dirt. Ms. Saghafi attempted to contact the school's officials upon seeing the condition of the classroom, but received no response. For the next three days, Ms. Saghafi and her mother cleaned the classroom so that it would be ready for students on the following Tuesday when classes were set to begin.

6. Ray Milette, a teacher, commented to Ms. Atlas, the Assistant Principal, who had provided the key to Ms. Saghafi, that Ms. Saghafi must have really needed the job to have returned after seeing the condition of her classroom.

7. Upon starting work, Ms. Saghafi observed that she was being shunned, ignored, treated rudely and in a less favorable manner than others were treated by school employees.

8. Mr. Engleman, the Chairman of the Science Department, held a party at for the department and invited everyone in the Science Department except Ms. Saghafi.

1 9. Only one science teacher, Mr. Cooper, would say "hi," or respond when
2 Ms. Saghafi said hello. Ms. Saghafi observed that Mr. Cooper was treated adversely by
3 school employees after he was seen speaking to Ms. Saghafi.

4 10. On repeated occasions, members of the faculty and administration
5 communicated that Ms. Saghafi did not fit in because she was Iranian and Muslim.¹

6 11. Although termination notices at Pali High are usually issued before March
7 15th, three weeks before the end of the 2003/2004 academic year, Ms. Saghafi and Mr.
8 Cooper were both issued notices of termination on the grounds of not having "cleared
9 your credentials." Both teachers were told that, if they were able to clear their
10 credentials within three weeks, which normally would not have been possible, they
11 would be given "the opportunity to interview for their jobs with a panel." Teachers in a
12 similar position were not subjected to the requirements placed on Ms. Saghafi and Mr.
13 Cooper.

14 12. At considerable expense, Ms. Saghafi completed a needed class, paid for
15 an expedited transcript, interviewed with a panel, and was treated as if she was a new
16 employee. After presenting recommendation letters from parents of students, and from
17 colleagues, along with the transcript, Ms. Saghafi was reinstated.²

18 13. Unlike other teachers at Pali High, Ms. Saghafi was not provided with a
19 cabinet or drawer in which to place student work or her own class plans.

20 14. Unlike other teachers, Ms. Saghafi was not allowed to sit and eat her
21 lunch in the class rooms where she taught.

22 15. Following an injury to Ms. Saghafi's knee, Pali High scheduled meetings at
23 a location where Ms. Saghafi was unable to attend. Despite her request, Pali High
24 made no attempt to move the location of the meetings.

25
26 ¹ Ms. Saghafi is informed and believes that several other Iranians were employed at the
27 school, but none of them were Muslim.

28 ² Ms. Saghafi was told that Mr. Cooper's paperwork had been "lost" and that he had not
been rehired.

1 16. While teachers were normally assigned permanent classrooms based on
2 seniority, Ms. Saghafi was not assigned a permanent classroom. Teachers with less
3 experience than Ms. Saghafi were assigned permanent classrooms.

4 17. After Ms. Saghafi became tenured, Pali High's administrators told Ms.
5 Saghafi that new teachers receive the best classroom assignments.

6 18. After communicating that she preferred teaching Chemistry or Physics,
7 Ms. Saghafi was demoted to teaching Integrated Science.

8 19. Despite her seniority, Ms. Saghafi was repeatedly denied an auxiliary
9 class, despite requesting one.

10 20. Eventually, when Ms. Saghafi was given a permanent classroom, she was
11 given Room F203, which was the size of a special education classroom and
12 accommodated only around 18 students, even though she was assigned between about
13 30 and 36 students. Ms. Saghafi remained in Room F203 for a number of years,
14 despite repeatedly requesting a bigger classroom, and even though teachers with less
15 seniority were assigned better classrooms.

16 21. In or about 2011 or 2012, after Dr. Magee became the school principle,
17 Ms. Saghafi communicated that she looked forward to working with Dr. Magee. Ms.
18 Saghafi also mentioned that she was concerned also about the bullying of minority
19 students at the school.

20 22. After sharing with Dr. Magee that she believed that she had also been
21 subjected to discrimination, Dr. Magee began referring to Ms. Saghafi as "Germaphobe"
22 and publicly berated Ms. Saghafi for using a tissue to open door handles.

23 23. In 2012, Ms. Saghafi requested a different classroom after a teacher
24 disclosed that one was becoming available. Again, in about June of 2013, Ms. Saghafi
25 learned that Room G101 was becoming available, and Ms. Saghafi requested it. As a
26 science teacher, Room G101 was desirable because it had a sink, which was needed
27 for some lab assignments.

28 24. After requesting Room G101, Dr. Magee, ordered Ms. Saghafi to provide
a list of all of the labs she intended to teach. Other science teachers were not required
to provide a list of the labs they planned in order to be assigned to a room with a sink.

1 25. Around the time when Ms. Saghafi was requesting to be assigned to
2 Room G101, Dr. Magee approached Ms. Saghafi and stated she'd received complaints
3 and was told by unnamed third persons that Ms. Saghafi had told people she had a
4 disability that prevented her from doing her job. Ms. Saghafi responded that the
5 accusation was not true.

6 26. Ms. Magee accused Ms. Saghafi of requesting a classroom with a sink so
7 that she could wash her hands when she wanted.

8 27. Ms. Magee stated that, if Ms. Saghafi wanted Room G101, she should ask
9 the doctor to write a note that stated that Ms. Saghafi needed a classroom with a sink
10 because she had Obsessive Compulsive Disorder ("OCD").

11 28. After continuing to complain about the unfair treatment, and after refusing
12 to get a note from a doctor, Ms. Saghafi was eventually assigned Room G101.

13 29. About two weeks after the academic year had started, Mr. Howard entered
14 Ms. Saghafi's classroom while class was in session, ordered her to come to a meeting
15 that would begin in 15 to 20 minutes, and to bring a witness.

16 30. During the meeting Dr. Magee and Ms. Bush (the director of Special
17 Education and AP) were present. Dr. Magee started the meeting by stating she had
18 heard that Ms. Saghafi had caught several students of cheating and that the students
19 who had been accused, do not cheat. Ms. Saghafi responded that she had caught
20 three students copying other students' papers, which she considered to be cheating,
21 and had given them a verbal warning. Ms. Saghafi reminded Dr. Magee that she had
22 recently received an email from Dr. Magee, in which Dr. Magee specifically expressed
23 that teachers were allowing too many students to cheat and that it needed to end.

24 31. Ms. Saghafi stated she was surprised that Dr. Magee was supporting the
25 students who had cheated, instead of herself.

26 32. Ms. Bush then stated that she considered Ms. Saghafi to be a "danger" to
27 students, due to Ms. Saghafi's practice of standing away from the students and not
28 touching students.

 33. Ms. Saghafi was so emotionally distraught after the meeting that she
became physically ill and consulted her doctor.

1 34. On repeated occasions, administrators who worked at Palisades Charter
2 High School communicated that they were concerned about Ms. Saghafi teaching
3 because she was Iranian and Muslim.

4 35. Unlike other teachers, Ms. Saghafi was required to undergo yearly
5 evaluations during which other teachers and aids where sent to watch Ms. Saghafi
6 teach. Ms. Saghafi regards the yearly evaluations as being motivated by discrimination
7 and by Pali High's intent to make her feel uncomfortable and to encourage her to quit.

8 36. Ms. Atlas, the Assistant Principle in charge of Science, told Ms. Saghafi
9 that her sister believed that all Iranians should be bombed and killed.

10 37. Ms. Atlas told Ms. Saghafi that she knew that the Science Department
11 was not treating Ms. Saghafi with respect, and if Ms. Saghafi did not feel comfortable,
12 Ms. Saghafi should look for another place to teach.

13 38. In or about the spring of 2014, Ms. Saghafi's photo was placed on social
14 media along with comments that she was a "prostitute," "nigger," "alien," and that she
15 should go back to Iran. When Ms. Saghafi communicated with colleagues that she
16 suspected that people from the photography class were behind the offensive posts, and
17 was upset about them, Ms. Saghafi was advised to not make a "big deal" about it.

18 39. On Friday, November 7, 2014, before lunch, Ms. Saghafi was teaching
19 her class when she heard the click of a camera. Ms. Saghafi looked up and saw two
20 girls with cameras facing in Ms. Saghafi's direction. The girls were accompanied by
21 others.

22 40. Ms. Saghafi asked the name of the closest girl.

23 41. After the girl refused to give her name, Ms. Saghafi asked for the camera
24 so that she could have it checked by the photography teacher. The girl handed Ms.
25 Saghafi the camera.

26 42. When Ms. Saghafi asked for the second girl's camera, instead of
27 cooperating, the girl made rude and disrespectful comments, which the class heard.

28 43. Ms. Saghafi phoned the Dean's Office. Mr. Buckman picked up the
phone. Ms. Saghafi informed Mr. Buckman that a girl was being disruptive and asked
him to come to the classroom.

1 44. When Mr. Buckman arrived, the photography students were outside of the
2 door of the classroom, with their cell phones pointed at Ms. Saghafi. Ms. Saghafi asked
3 the students to put their phones away. Ms. Saghafi's class was in session.

4 45. After explaining that she wanted the remaining camera so that it could be
5 checked by the photography teacher, Mr. Buckman obtained the second camera and
6 handed it to Ms. Saghafi.

7 46. While Ms. Saghafi was holding the straps of the two cameras, Mr. Steil,
8 the photography teacher, whom Ms. Saghafi had not met, and who is much taller than
9 Ms. Saghafi, abruptly entered Ms. Saghafi's classroom without identifying himself. Mr.
10 Steil forcefully grabbed Ms. Saghafi's upper arms so hard that she feared for her safety.

11 47. Frightened, Ms. Saghafi said, "Who are you?"

12 48. Mr. Steil yelled, "What are you going to do about it? Refer me to the
13 dean?!" He then laughed.

14 49. Mr. Steil then he pressed on Ms. Saghafi's wrists and pried open her
15 hands and fingers to obtain the cameras.

16 50. Ms. Saghafi shook and cried following the incident.

17 51. After regaining her composure, Ms. Saghafi phoned Jim Shiffman ("Mr.
18 Shiffman") and Russell Howard ("Mr. Howard") and reported the assault. Mr. Howard,
19 along with Dean Loftus, subsequently came to Ms. Saghafi's classroom during the
20 lunch period and asked if any students had seen anything.

21 52. After lunch was over, Mr. Howard asked Ms. Saghafi to email a report
22 about the incident as soon as possible.

23 53. Ms. Saghafi rushed to write the email and entitled it "Complaint of
24 Harassment and Assault."

25 54. During 7th period, Mr. Shiffman entered Ms. Saghafi's class room and told
26 Ms. Saghafi that she should not have filed a complaint. Ms. Saghafi explained that Mr.
27 Howard had asked her for the report.

28 55. Ms. Saghafi was wearing a heavy long-sleeved jacket at the time of the
incident and did not immediately realize that Mr. Steil had left bruise marks on her arms.

1 56. On or about Saturday, November 8, 2014, Ms. Saghafi sent pictures of the
2 bruises on her arms to Mr. Howard and Mr. Schiffman. [See: Exhibit "1."].

3 57. On Monday, November 10, 2014, while in class, Mr. Shiffman came into
4 Ms. Saghafi's classroom, had her go to the doorway, and instructed her to roll up her
5 sleeves to show him her bruises.³

6 58. Later, during 7th period the same day, when Ms. Saghafi did not have a
7 class, Ms. Shiffman and Mr. Howard came to Ms. Saghafi's classroom and escorted her
8 to Mr. Howard's office, where she was asked to tell them everything that had happened.
9 Mr. Howard asked Ms. Saghafi why she had not mentioned the bruises to her arms in
10 the email on Friday, November 7, 2014, on the day of the incident.

11 59. On or about December 1, 2014, Chris Lee (who is not Iranian) announced
12 over the school intercom that the Iranian Club was scheduled to meet the next day in
13 Ms. Saghafi's classroom. He stated, "It will be DIVOONEH there tomorrow." The word
14 "Divooneh" is a word in the Farsi language which refers to a seriously mentally ill person
15 who should be institutionalized. Ms. Saghafi regarded the message as an insult
16 directed at herself.

17 60. On or about Monday, December 1, 2014, after Ms. Saghafi continued to
18 be subjected to bullying and realized that the school had taken no appropriate
19 responsive action, Ms. Saghafi reported the assault to the police.

20 61. In a meeting on Wednesday, December 3, 2014, two days after reporting
21 the incident to the police, Ms. Saghafi was presented with a written disciplinary warning
22 which she was asked to sign and was told would be placed in her personnel file. After
23 reading the letter, Ms. Saghafi stated that the letter's contents were not truthful and
24 refused to sign it.

25 62. On December 19, 2014, a meeting was held to discuss Ms. Saghafi's
26 allegations.⁴

27 ³ Pictures of Ms. Saghafi's bruises are attached hereto as Exhibit "1."

28 ⁴ Ms. Saghafi was later told that the purpose of the meeting to force Ms. Saghafi to
withdraw and "rip up" her complaint, or to rewrite it with facts that were favorable to the
school.

1 63. After the meeting, Ms. Saghafi repeatedly complained that the school had
2 not taken her complaint seriously and was also not taking reasonable steps to protect
3 students who were bullied due to being perceived as LGBTQ or as members of
4 disfavored races or groups, Ms. Saghafi was subjected to rude and demeaning
5 comments based on her race, national origin, and perceived religion.

6 64. During the spring semester, while in her classroom, Mr. Howard
7 commented that Ms. Saghafi was "like Howard Hughes" because "she has OCD." Ms.
8 Saghafi was offended by the comment.

9 **Discrimination, Harassment, and Bullying Escalates (2016/2017)**

10 65. Ms. Saghafi contacted school officials and requested the formation of a
11 committee of students, parents, and teachers to address the ongoing bullying,
12 harassment, and discrimination against disfavored minorities at the school. School
13 officials refused to form such a committee, or to acknowledge that the school had a
14 problem with racism, harassment, and/or bullying on the campus.

15 66. In March of 2016, two students were arrested for vandalizing the campus
16 of Pali High.⁵ The vandalism included references to the Ku Klux Klan, African
17 Americans, and LGBT people. The incident was widely reported on local news.

18 67. Dr. Magee, when addressing the public, communicated that the incident
19 was an isolated occurrence, that the school did not have a problem with hate or
20 discrimination, and that there was no threat.

21 68. Ms. Saghafi was assigned to teach Chemistry during the 2016/2017
22 school year.

23 69. In the Spring of 2016, Ms. Saghafi asked the Human Resources office and
24 the Assistant Principal, Jeff Hartman ("Mr. Hartman") if she needed to do anything
25 concerning her credentials or qualifications. No response was given.

26 70. Later, during the summer, in or about August of 2016, Sophia Chock
27 evaluated Ms. Saghafi's transcripts and stated that Ms. Saghafi met "House Rules" and
28 was allowed to teach. Mr. Hartman signed off.

⁵ <http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-school-20160315-story.html>

1 71. After classes started in the fall of 2016, Amy Nguyen ("Ms. Nguyen") in the
2 Human Resources Department, without any prior warning, told Ms. Saghafi that, unless
3 Ms. Saghafi submitted additional credentials, Ms. Nguyen intended to take Ms.
4 Saghafi's classes away.

5 72. Ms. Saghafi communicated that she had contacted the University of New
6 Haven to obtain the requested documents, but that university was not yet open because
7 their academic year had not yet begun. Ms. Nguyen replied that she was aware that
8 there were "obstacles," but that she did not care and planned to take the classes away.

9 73. Ms. Saghafi, fearing for her job, contacted Mr. Shiffman⁶ for his
10 assistance.

11 74. Sophia Chock informed Ms. Saghafi that there were teachers at Pali High
12 that have been teaching under "House Rule" credentials for years and that she did not
13 understand why Ms. Saghafi was treated differently than the other teachers.

14 75. In the Spring of 2017, after Pali High settled Ms. Saghafi's Workers'
15 Compensation claim, which stemmed from classroom assault in 2014, Ms. Nguyen
16 intentionally humiliated Ms. Saghafi when she entered Ms. Saghafi's classroom and
17 announced that a "full-time substitute teacher" was being placed in the classroom when
18 Ms. Saghafi taught.

19 76. Ms. Saghafi regarded Ms. Nguyen's placement of the second teacher in
20 her classroom, as being made with the intent to humiliate Ms. Saghafi and to pressure
21 her to quit her job. Ms. Saghafi claims that such actions were motivated by her filing of
22 a Workers Compensation claim, and for complaining about discrimination and bullying
23 at the school, for suggesting a committee to address such issues, and in retaliation for
24 engaging in such protected actions.

25 77. In or about June of 2017, a 15-year-old African-American student reported
26 seeing a picture of herself with a noose around her neck in the Chemistry Chat Room
27

28 ⁶ Mr. Shiffman is now retired.

1 for Palisades Charter High School.⁷ The incident was widely reported on television
2 news.

3 78. Despite the knowledge by school officials that abusive language and
4 conduct was routinely directed at Muslims, including Ms. Saghafi, such conduct was
5 ignored. Dr. Magee stated that the noose incident was an isolated occurrence and that
6 the school had no problems with racism or discrimination.

7 79. Following news coverage about the noose incident, an open meeting was
8 held in Pali High's cafeteria. During the meeting, which addressed the harassment of
9 the African-American student, Ms. Kuper stated that she had heard worse statements at
10 the school about the Muslims on campus.

11 80. On June 21, 2017, at 1:33 PM, Dr. Magee emailed the school's faculty
12 regarding: "Hate incident follow up and next steps." The email invited faculty members
13 to "share relevant experiences and provide input" for the purpose of developing new
14 policies and procedures. The email promised that all responses would be anonymous.

15 81. On June 22, 2017, at 2:21 PM, Ms. Saghafi responded: "I have felt being
16 the subject of hate myself for the longest time here specifically at Pali. It has made me
17 feel I wish I was never born.⁸ Pali has been one of the very worst places I have seen in
18 terms of cruel judgments hate, stereotyping and considering that certain people (based
19 on age, country of origin, religion, political view, certain disability, gender, how one talks
20 whether from language or disability)." In the same email, Ms. Saghafi stated: "until one
21 has been the subject of hate themselves, they would not understand or feel or know
22 how bad it is and how hurtful and damaging it is and even how to go about resolving
23 and solving it." Ms. Saghafi closed the email by recommending that the school contact
24 Barry Pogorel, who had done consulting work with UCLA, USC, and reputable
25 corporations, concerning the abatement of discrimination.

26 ⁷ [http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-](http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-school-20160315-story.html)
27 [school-20160315-story.html](http://www.latimes.com/local/lanow/la-me-ln-arrests-racist-graffiti-palisades-charter-school-20160315-story.html)

28 ⁸ It is noted that Ms. Saghafi's native language is Farsi. Scholarly writings address
multiple problems that occur in translating Farsi to English. These problems include
lexical ambiguity, incorrect translation of idioms.

1 82. On June 22, 2017, at 5:14 PM, Dr. Magee acknowledged receiving Ms.
2 Saghafi's email and responded: "While as you said, I can't completely understand how
3 you have been made to feel, I can offer empathy. I also want to make sure that there
4 are no incidents that have gone unaddressed by Human Resources, the Dean's Office,
5 or your department administrator. Please let me know if you have experienced an
6 incident related to Pali that needs to be addressed."

7 83. Ms. Saghafi had previously communicated to the Assistant Principal that a
8 student had told one of her Muslim and Iranian students: "You Iranians are terrorists
9 and live in mud houses." After the Assistant Principal had ignored the report, Ms.
10 Saghafi had reported the same incident to Dr. Magee, who also took no action.

11 84. Following the noose incident, Ms. Saghafi communicated that she was
12 tired of being subjected to discrimination, harassment, and hate, and that she worried
13 that students who were regarded as not fitting in due to their race, color, or sexual
14 orientation, were being treated less favorably than others, and that complaints about
15 such treatment were ignored and were not welcomed by the administration. Ms.
16 Saghafi communicated that, because these issues being ignored, she was prepared to
17 speak openly about these issues herself.

18 85. On the afternoon of June 23, 2017, Ms. Saghafi opened the door of her
19 home to find police at her doorstep. Officer Acurin and Officer Costales asked Ms.
20 Saghafi if she knew a person named Amy Nguyen ("Ms. Nguyen"). Ms. Saghafi
21 responded "yes" and stated that Ms. Nguyen was Pali High's Human Resource
22 Manager. The officers then informed Ms. Saghafi that Ms. Nguyen had reported Ms.
23 Saghafi as being a "harm to herself or others" and had asked the police to make a
24 report.

25 86. Ms. Saghafi regarded Ms. Nguyen's report to the police, which had
26 prompted the officers' visit, as motivated by retaliation for communicating her intent to
27 speak out about the bullying, discrimination, and harassment at Pali High.

28 87. Ms. Saghafi regarded Ms. Nguyen's report to the police as being made
with intent to frighten her and to create a report that the school could later use to falsely
claim that Ms. Saghafi was mentally ill and to terminate her.

1 88. After the police left Ms. Saghafi's home, Ms. Saghafi composed an email
2 to Dr. Magee and wrote: "Every time, I have complained to the school, the school has
3 turned around and made a case against me. The police were just here."

4 89. As 2017 progressed, Ms. Saghafi was subjected to increasing unfair
5 scrutiny by Pali High employees for the purpose of finding an excuse to fire her.

6 90. Mr. Howard, Ms. Bush, Mr. Tomassi, and their friends actively encouraged
7 students and parents to complain about Ms. Saghafi.⁹

8 91. Despite receiving many communications from parents who wanted to
9 thank Ms. Saghafi for doing an outstanding job, when parents contacted the school to
10 complain about a low grade, or after Ms. Saghafi verbally disciplined a student for
11 disrupting the classroom, the school would side with the parents instead of asking Ms.
12 Saghafi's perspective. School employees stated that they were keeping track of all
13 complaints about Ms. Saghafi.

14 92. For most of her tenure, despite requesting to be assigned an auxiliary
15 science class on repeated occasions, her request was denied most of the time while
16 less-senior teachers who requested auxiliary classes, received them.

17 93. On August 20, 2017, Ms. Saghafi complained that she was being denied
18 equal opportunity by not being assigned an extra class while a male was assigned two
19 extra classes.

20 94. During the 2016/2017 academic school year, Ms. Saghafi raised a
21 concern with Ms. Bush, Mr. Hartman, and Ms. Alba about a student who was repeatedly
22 leaving her class and/or missing class. Ms. Saghafi asked if the student had any
23 school-approved accommodations, and if so, the nature of the accommodations.

24 95. Ms. Saghafi communicated that she had checked the Infinite Campus
25 System¹⁰ and there was no indication of any accommodations. Ms. Saghafi stated that

26 ⁹ Note: The administration had also previously encouraged teachers, parents, and
27 students to complain about Ms. Saghafi.

28 ¹⁰ The Infinite System is the technology by which the school monitors student
attendance. The system usually indicates whether or not a student has school-
approved accommodations, such as being allowed be absent for doctor appointments
or for other accommodations.

1 she wanted to make sure that no accommodations were in place before speaking with
2 the student about the student's attendance. Instead of responding appropriately to Ms.
3 Saghafi, Ms. Bush (Director of Special Education), accused Ms. Saghafi of not knowing
4 how to check the Infinite Campus System. Ms. Alba then referred to Ms. Saghafi as
"incompetent" in front Ms. Bush, Mr. Hartman, and herself.

5 96. In 2016 and 2017, Carole Smith scheduled PLC meetings at times and
6 places, usually upstairs, which made it difficult for Ms. Saghafi to attend. Ms. Smith
7 scheduled the meetings at times during which Ms. Saghafi was not paid, and/or at a
8 location which required her to walk, even though Ms. Smith was aware that Ms. Saghafi
9 was recovering from a knee injury that made walking painful. Ms. Saghafi was initially
10 afraid to complain in fear that her classes would be taken away. In the fall of 2017, after
11 Ms. Smith began arriving late to early morning meetings, which required Ms. Saghafi to
12 wait outside, sometimes in the cold, Ms. Saghafi complained and asked for the key to
13 the storage area so that she could have a place to wait where it was not so cold. After
14 Ms. Nguyen denied the request for the key, Ms. Saghafi asked if the meetings could be
15 held during 7th period, when neither Ms. Saghafi, nor Ms. Smith had classes, both were
16 required to be at school. Ms. Nguyen and Ms. Smith eventually agreed to have the
meetings during 7th period.

17 97. In or about December of 2017, a school employee (who wishes to remain
18 anonymous for this complaint) warned Ms. Saghafi that the school was trying to build a
19 case to fire Ms. Saghafi and that her job was posted as available.

20 98. While other teachers came and left campus without being asked to explain
21 what they were doing, Ms. Saghafi was asked to report any occasion when she left
22 early, including when and why she went to the doctor. Other teachers were not asked
23 to report details of their visits to their doctor.

24 99. On December 13, 2017, Ms. Saghafi was cold in her classroom. When
25 Ms. Saghafi did not have a class, Ms. Saghafi took her laptop computer with her to her
26 car and started the engine so that she could turn on the car's heater to get warm. Ms.
27 Saghafi had no intention of leaving campus.
28

100. At 12:12 PM, on December 13, 2017, Delia Morales ("Ms. Morales") emailed Ms. Saghafi: "I saw you in the parking lot at 12:08. Were you leaving, or were you coming back? Please inform me." Ms. Morales' email was also copied to Ms. Nguyen, the Human Resources Director.

101. On December 14, 2017, Ms. Saghafi replied "NEITHER" and explained: "I was neither leaving nor coming back. I felt very cold at the time in my classroom when I had no class, so I wanted to sit in a warm area. It is interesting that I am under the microscope and everyone is supposed to spy on me and report on when other standards apply to others."

102. On December 20, 2017, Ms. Saghafi filed a Complaint of Discrimination with California's Department of Fair Employment and Housing and received a Right to Sue Letter.

103. On Thursday, December 21, 2017, Ms. Nguyen presented Ms. Saghafi with a letter and told her to leave the school and that she was being placed on administrative leave.

104. Ms. Nguyen stated that "there were some complaints about you this year and we have involved a third party, Shaw, who will contact you."

105. Ms. Nguyen told Ms. Saghafi to find a doctor and obtain a diagnosis of dyslexia, a hearing disorder, or another issue that prevented her from doing her job. Ms. Nguyen communicate that this was the only way for Ms. Saghafi to save her job.

106. Karen Perkins stated, "Roya. We both know that you don't have a disability. You are going to be fired."

107. Ms. Saghafi was subsequently contacted by the Shaw Institute on behalf of Pali High, who asked Ms. Saghafi to submit to a telephone conference for the purpose of an initial assessment of whether or not Ms. Saghafi had any disability or needed any accommodation.

108. On or about February 5, 2018, Ms. Saghafi spoke with Rachel Shaw ("Ms. Shaw") and explained that she did not have a disability and needed no accommodations other than for an elevator key, which had been provided to her in the past, following an accident in 2015. During communications, Ms. Saghafi was asked if

1 she had ever stated, "I don't want to live." Ms. Saghafi denied ever making any such
2 statement. Ms. Saghafi, however, complained that she had been subjected to
3 discrimination and harassment, as well as retaliation for complaining about her
4 treatment by school employees and about the need to address the problem of bullying
at Pali High.

5 109. In a letter dated February 23, 2018, Ms. Shaw wrote a letter to Ms.
6 Saghafi and the school, advising that she "would notify the District of your concerns
7 relating to your work environment and treatment." In the same letter, Ms. Shaw
8 communicated that the school "will be contacting you directly regarding your return to
9 work date. They also indicated that they would ensure that they respond to your
10 concerns relating to your treatment and how you believe are regarded at work."

11 110. Ms. Shaw concluded that Ms. Saghafi did not have a disability requiring
12 workplace accommodations and that she was closing the file.

13 111. As of the date of the filing of this complaint, no attempt had been made to
14 return Ms. Saghafi to her job, or to address her complaints.

15 **PROTECTED ACTIVITIES**

16 112. Ms. Saghafi engaged in a protected activity when she:

17 (a) reported that she had suffered a knee injury;

18 (b) reported on or about November 7, 2014, that she was assaulted on
19 campus by another teacher at Pali High;

20 (c) made a police report on or about December 1, 2014 (about the
21 November 7, 2016, assault), after school officials took no appropriate action in
response to her prior complaint;

22 (d) requested the formation of a committee to address bullying, racism and
23 discrimination on campus and recommended that the school bring in an outside
24 consultant to address the issues;

25 (e) filed a Workers Compensation claim;

26 (f); communicated in June of 2017, that, because the issues of racism,
27 bullying, and harassment were not being addressed, that she was prepared to
28 speak publicly about the problems;

1 (g) when she complained that she was being denied equal opportunity
2 with regard to extra class assignments;

3 (h) when she filed a Complaint of Discrimination on December 20, 2017,
4 with the Department of Fair Employment and Housing, and other things stated
5 herein this complaint, and as will be discovered in the course of litigation.

6 **ADVERSE EMPLOYMENT ACTIONS**

7 113. Defendants subjected Ms. Saghafi to an adverse employment action
8 when:

9 (a) Following an injury to her knee, Pali High scheduled meetings at a
10 location at which Ms. Saghafi was not able to attend;

11 (b) When Pali High failed to investigate and take appropriate action
12 against a teacher who assaulted Ms. Saghafi in a classroom on campus in 2014;

13 (c) When Pali High presented Ms. Saghafi with a disciplinary notice
14 containing false statements two days after Ms. Saghafi reported the 2014 assault
15 to the police;

16 (d) Various Pali High employees and administrators made demeaning
17 comments about Ms. Saghafi's race, national origin, perceived religion, as well
18 as insults about her allegedly being "OCD," among other things stated herein;

19 (e) Amy Nguyen threatened to take Ms. Saghafi's classes away;

20 (f) Pali High subjected Ms. Saghafi to different credentialing standards
21 than other teachers;

22 (g) Following the settlement of Ms. Saghafi's Workers' Compensation
23 Claim, in or about Spring of 2017, which stemmed from the 2014 assault, Ms.
24 Nguyen entered Ms. Saghafi's classroom and announced that a "full-time
25 substitute teacher" would be placed in the classroom while Ms. Saghafi was
26 teaching;

27 (h) Following multiple news reports about incidents of hate, harassment,
28 and bullying at Pali High, following Dr. Magee's statement that "no incidents have
gone unaddressed," and following Ms. Saghafi's communication on June 22,
2017, to Dr. Magee that these issues were not being addressed, that an outside

consultant was needed, Ms. Nguyen called in a report to the police that Ms. Saghafi was a "harm to herself or others," resulting in the police being called to Ms. Saghafi's home;

(i) Mr. Howard, Ms. Bush, Mr. Tomassi, and their friends actively encouraged students and parents to make complaints about Ms. Saghafi;

(j) When, in 2016 and 2017, Carol Smith scheduled PLC meetings at places (usually upstairs), which made it difficult for Ms. Saghafi to attend, and at times during when Ms. Saghafi was not paid;

(k) When Ms. Saghafi was subjected to undue scrutiny to which other teachers were not subjected;

(l) When Ms. Nguyen told Ms. Saghafi to leave the campus one day after Ms. Saghafi made a complaint to California's Department of Fair Employment and Housing;

(m) When Pali High failed to investigate Ms. Saghafi's complaints about discrimination and harassment;

(n) When Pali High has still not allowed Ms. Saghafi to return to her job, and other things stated herein this complaint, and as will be discovered in the course of litigation.

PRELIMINARY ALLEGATIONS

114. At all times herein, Plaintiff was a resident of the County of Los Angeles.

115. At all times herein Defendant, Palisades Charter High School, was a corporation doing business in the County of Los Angeles and located at: 15777 Bowdoin Street, Pacific Palisades, CA 90272. The agent for service of process is: Paul Minney, 655 University Avenue, Suite 150, Sacramento, CA 95825.

116. Plaintiff is informed and believes that, all times herein Defendant, Amy Nguyen, was an individual living in and/or working in the County of Los Angeles and the State of California.

117. At all times relevant to Plaintiff's complaint, there existed an employer-employee relationship between Plaintiff and Palisades Charter High School. As a result of harm suffered by Plaintiff as described herein this complaint, she has suffered

1 damages in excess of the minimum jurisdiction of this court.

2 118. The true names and capacities of Defendants referred to herein as Does
3 are unknown to Plaintiff at this time, and Plaintiff is informed and believes that they are
4 in some way responsible for the damages incurred. Plaintiff will amend this Complaint
5 to allege the true names and capacities when ascertained.

6 119. Plaintiff is informed and believes, and thereon alleges, that at all material
7 times each Defendant and each Doe Defendant's actions and conduct were known to,
8 authorized, and ratified by each other, and by their agents, inclusive.

9 120. Plaintiff is informed and thereon alleges that the Defendants knowingly
10 and willfully conspired and agreed among themselves to do the acts herein alleged in
11 furtherance of their conspiracy. Defendants furthered their conspiracy by cooperation,
12 lending aid, encouragement, ratification, and adopting the acts of each other.

13 121. Plaintiff is informed and believes, and thereon alleges, that Defendants
14 committed other wrongful acts or omissions of which Plaintiff is presently unaware.
15 Such acts are ongoing and will continue after the filing of this action. Plaintiff will seek
16 leave of court to amend this Complaint when Plaintiff discovers the other acts and
17 omissions of such Defendants.

18 122. Prior to the filing of this lawsuit, Plaintiff exhausted her administrative
19 remedies under the FEHA by filing a complaint of discrimination for which she received
20 a right to sue letter.

21 **FIRST CAUSE OF ACTION**

22 **Intentional Infliction of Emotional Distress (CACI VF- 1600)**

23 (by Plaintiff against Palisades Charter High School, Amy Nguyen,
24 and DOES 1-10)

25 123. Plaintiff repeats and re-alleges all paragraphs of the preceding allegations
26 herein and also incorporates said paragraphs as though set forth in full in this Cause of
27 Action.
28

124. When Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees committed the acts described in this Complaint in the preceding paragraphs, they did so deliberately and intentionally to cause Plaintiff to suffer humiliation, mental anguish, physical harm, and emotional distress. The extreme and outrageous¹¹ nature of the above-mentioned conduct is amplified due to the abuse of their position, which gives actual, and apparent authority over the Plaintiff, such as is commonly found in employment and work relationships. Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, were aware that Plaintiff was relying on her employment for the wages she needed to support herself. Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, were aware that mistreating Plaintiff, falsely communicating to the police that Plaintiff was a harm to herself or others, encouraging people to make complaints about Plaintiff, subjecting Plaintiff to undue scrutiny, and by removing Plaintiff from her classroom, and other things, according to proof, would cause Plaintiff to suffer extreme emotional distress and other consequential damages.

125. When Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, did the acts described in this Complaint, they knew that emotional distress would probably result from their conduct, and/or gave little thought to the probable effects of their conduct. The acts of Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, and each of them, as described herein cannot be normally expected to occur in the workplace.

126. In acting as described above, while in positions of apparent authority over Plaintiff, Palisades Charter High School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, clearly stepped out of their proper role and used their position of authority to cause Plaintiff to suffer severe emotional distress, which she did suffer.

¹¹ Whether a defendant's conduct was so outrageous or extreme as to support an IIED claim is ordinarily a triable issue of fact. KOVR-TV, Inc. v. Superior Court (1995) 31 CA4th 1023.

1 127. The above acts of Palisades Charter High School, Amy Nguyen, Does 1-
2 10, and their agents and employees, inclusive, constituted intentional infliction of
3 emotional distress and such conduct of Defendants was a substantial factor in causing
4 damage to Plaintiff.

5 128. As a proximate cause of the wrongful acts of Palisades Charter High
6 School, Amy Nguyen, Does 1-10, and their agents and employees, inclusive, as stated
7 herein, Plaintiff has suffered and seeks lost earning, attorney's fees, the costs of the
8 suit, and compensation for the emotional distress and other general and special
9 damages she suffered.

10 129. The actions of Palisades Charter High School, Amy Nguyen, Does 1-10,
11 and their agents and employees, inclusive, were willful, reckless, and exhibited a
12 conscious disregard of the rights of Plaintiff. Accordingly, Plaintiff is entitled to punitive
13 damages, according to proof.

14 130. Plaintiff is informed and believes that one or more managing agent(s) with
15 substantial discretionary authority over significant aspects of Palisades Charter High
16 School, Amy Nguyen, Does 1-10, and their agents and employees, authorized, ratified,
17 approved, and directly participated in the adverse treatment of Plaintiff and in doing so
18 abused their position of power and was callously indifferent to Plaintiff's circumstances,
19 such that the aforepleaded conduct constitutes malice, oppression, or fraud, thereby
20 entitling Plaintiff to an award of punitive damages.

21 131. As a proximate result of the conduct of Palisades Charter High School,
22 Amy Nguyen, Does 1-10, and their agents and employees, Plaintiff is entitled to lost
23 earnings and other damages as set forth herein or in an amount according to proof at
24 the time of trial.

25 132. Plaintiff has also incurred and continues to incur attorneys' fees and legal
26 expenses in an amount according to proof at the time of trial.

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1 142. Plaintiff claims that she was subjected to harassment based on her
2 national origin and religion by Palisades Charter High School, causing a hostile or
3 abusive work environment, as is stated herein this complaint.

4 143. Plaintiff was an employee of Palisades Charter High School.

5 140. Plaintiff was subjected to unwanted harassment because of her national
6 origin, race, perceived origin, and age (Over 40).

7 141. The harassing conduct was severe or pervasive.

8 142. A reasonable person in Ms. Saghafi's circumstances would have
9 considered the work environment to be hostile or abusive.

10 143. Ms. Saghafi considered the work environment to be hostile or abusive.

11 144. Ms. Saghafi's supervisors engaged in the conduct and/or knew or should
12 have known about the conduct but failed to take immediate and appropriate corrective
13 action.

14 145. Plaintiff was harmed.

15 146. Conduct by Palisades Charter High School's supervisors and/or agents
16 was a substantial factor in causing Ms. Saghafi's harm.

17 147. As a proximate result of the said violation of the FEHA, Plaintiff has
18 suffered mental anguish and emotional suffering all to her damage and in an amount
19 according to proof at the time of trial.

20 148. As a further proximate result of said violation of the FEHA as aforepleaded,
21 Plaintiff has suffered a loss of tangible employment benefits including lost wages and
22 benefits in an amount according to proof at the time of trial.

23 149. As a result of the said violation of the FEHA, Plaintiff was required to and
24 did retain an attorney, and is accordingly entitled to an award of attorney's fees and
25 costs of this lawsuit according to proof at the time of trial.

1 150. As a further proximate result of said violation of the FEHA, Plaintiff has
2 incurred and will continue to incur medical expenses in an amount according to proof at
3 the time of trial.

4 151. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby
5 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and
6 thereon alleges that such conduct was taken by an officer or managing agent of
7 Palisades Charter High School, or alternatively, authorized, ratified or approved by an
8 officer or managing agent of Palisades Charter High School.

9 **FOURTH CAUSE OF ACTION**

10 **Retaliation in Violation of the FEHA**

11 **Gov't Code § 12940(h)**

12 (by Plaintiff against Palisades Charter High School, and DOES 1-10)

13 152. Plaintiff repeats and re-alleges all paragraphs of the preceding allegations
14 herein and also incorporates said paragraphs as though set forth in full in this Cause of
15 Action.

16 153. Plaintiff engaged in protected activity as stated generally herein, including
17 but not limited to within paragraph 112 of this complaint.

18 154. Palisades Charter High School and its employees and agents subjected
19 Plaintiff to adverse employment action(s) as stated generally herein this complaint,
20 including but not limited to paragraph 113 of this complaint.

21 155. The protected activities alleged in this cause of action were a substantial
22 motivating reason for Palisades Charter High School's adverse employment actions.

23 156. Plaintiff was harmed.

24 157. Palisades Charter High School's actions were a substantial factor in
25 causing Plaintiff's harm.

158. As a proximate result of the said violation of the FEHA, Plaintiff has suffered mental anguish and emotional suffering all to her damage and in an amount according to proof at the time of trial.

159. As a further proximate result of said violation of the FEHA as aforepleaded, Plaintiff has suffered a loss of tangible employment benefits including lost wages and benefits in an amount according to proof at the time of trial.

160. As a result of the said violation of the FEHA, Plaintiff was required to and did retain an attorney, and is accordingly entitled to an award of attorney's fees and costs of this lawsuit according to proof at the time of trial.

161. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and thereon alleges that such conduct was taken by an officer or managing agent of Palisades Charter High School, or alternatively, authorized, ratified or approved by an officer or managing agent of Palisades Charter High School.

FIFTH CAUSE OF ACTION

Failure to Provide Timely Access to Employee Payroll and Personnel Records

(Cal. Labor Code §§ 226, 432, and 1198.5)

(by Plaintiff against Palisades Charter High School, and DOES 1-10)

162. Plaintiff re-alleges and incorporates by reference the foregoing allegations as though set forth herein.

163. California *Labor Code* § 1174, subdivision (d), requires employers doing business in the State of California to maintain payroll records and to keep these records in a central location in the State of California.

164. California *Labor Code* § 226, subdivisions (b) and (c), require employers doing business in the State of California to provide current and former employees access to their payroll records.

1 165. California *Labor Code* § 432, subdivision (b), requires employers doing
2 business in the State of California to afford current and former employees the right to
3 inspect or copy records pertaining to their employment.

4 166. California *Labor Code* § 1198.5, et seq., provides current and former
5 employees the right to inspect and receive a copy of their employee personnel records
6 that the employer maintains relating to the employee's performance or to any grievance
concerning the employee.

7 167. Plaintiff requested Palisades Charter High School to provide her access to
8 her employee personnel file and payroll records, or copies of such documents on
9 August 14, 2017, by Fed Ex. Defendants refused. On October 13, 2017, Plaintiff's
10 counsel sent a letter via FedEx requesting said records. Later in October,
11 approximately 40 pages were received, largely consisting of documents, such as her
12 own transcripts. Payroll records and documents normally expected to be produced in
13 an employee file, were absent.

14 168. Defendants failed to provide Plaintiff timely access to and/or copies of her
15 payroll and personnel records in violation of California law as cited above.

16 169. As a result of the statutory violations, Plaintiff seeks damages, in an
17 amount to be determined according to proof at trial, costs and attorneys' fees.

18 170. Based on the misconduct alleged herein, Plaintiff is entitled to attorneys'
19 fees as provided by applicable law, including but not limited to California Labor Code §
20 226, subdivisions (c) and (f).¹²

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27 ¹² Labor Code § 226(f) provides that "a failure by the employer to permit a current or
28 former employee to inspect or copy records within the time limit set forth in subdivision
(c) entitles the current or former employee or the Labor Commissioner to recover a
seven-hundred-fifty-dollar (\$750) penalty from the employer.

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1 High School refused to take any reasonable responsive action. Plaintiff was never
2 asked for the names of witnesses. No investigation took place.¹⁴

3 184. As a proximate result of the wrongful conduct of the Defendants, and each
4 of them, Plaintiff has suffered and has continued to sustain substantial losses in
5 earnings, reputation, and other employment benefits in an amount according to proof at
6 time of trial.

7 185. The aforepleaded conduct constitutes malice, oppression, or fraud, thereby
8 entitling Plaintiff to an award of punitive damages. Plaintiff is informed and believes and
9 thereon alleges that such conduct was taken by an officer or managing agent of
10 Palisades Charter High School or alternatively, authorized, ratified or approved by an
11 officer or managing agent of Palisades Charter High School.

12
13 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of
14 them, according to proof as follows:

- 15 1. For general damages;
- 16 2. For special damages;
- 17 3. Interest on compensatory damages at the legal rate from the date of injury
18 or pursuant to Code of Civil Procedure Section 3291;
- 19 4. For other compensatory damages for emotional distress and other
20 economic and non-economic losses;

21 ¹⁴ Under California state anti-discrimination laws, an employer is required to investigate
22 thoroughly a claim of harassment. "The affirmative and mandatory duty [under the
23 FEHA] to ensure a discrimination-free work environment requires the employer to
24 conduct a prompt investigation of a discrimination claim." American Airlines v. Superior
25 Court (2003) 114 Cal.App.4th 881, 890. "Prompt investigation of a discrimination claim
26 is a necessary step by which an employer meets its obligation to ensure a
27 discrimination-free work environment." Northrop Grumman Corp. v. Workers'
28 Compensation Appeals Board (2002) 103 Cal.App.4th 1021, 1035. "Whatever
[remedial] course of action the employer chooses to take, an effective remedy is unlikely
to take shape in the absence of a thorough investigation of the alleged acts of
harassment." Wellpoint Health Networks v. Superior Court (1997) 59 Cal.App.4th 1021.

- 1 5. Punitive and exemplary damages;
- 2 6. Attorney fees;
- 3 7. Costs and expense of suit incurred herein;
- 4 8. Premium pay;
- 5 9. Penalties, including but not limited to waiting time penalties; and
- 6 10. For other just and proper relief including but not limited to that which is
- 7 requested in this Complaint.
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10 DATE: May 31, 2018

SIGNED: _____

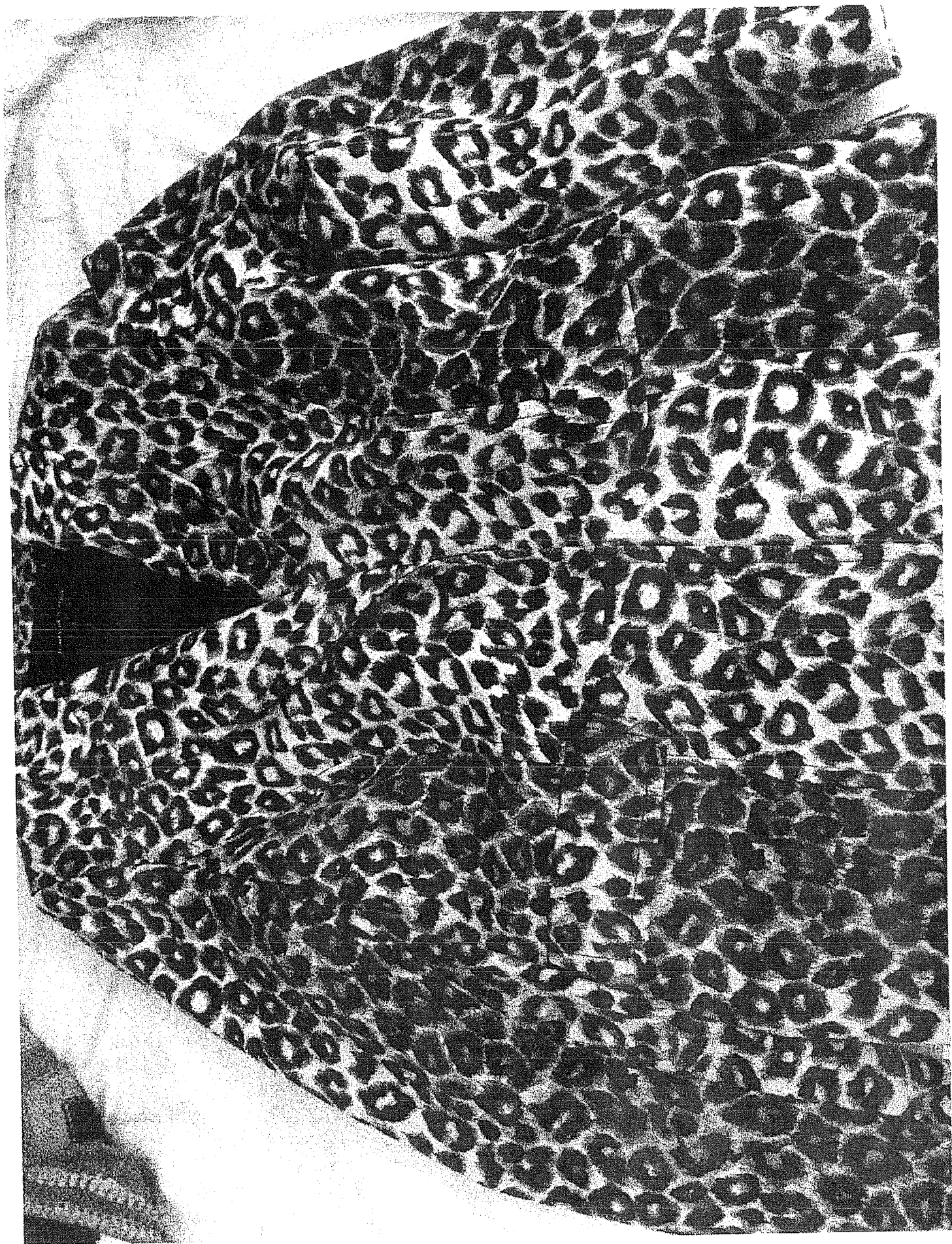
11 Ann A. Hull, Esq.
12 LAW OFFICES OF ANN A. HULL, INC.
13 Attorney for Plaintiff
14 ROYA SAGHAFI

EXHIBIT “1”









ATTORNEY OR PARTY WITHOUT ATTORNEY (Print name, State Bar number, and address): Ann A. Hull, Esq. SBN: 252855 LAW OFFICES ANNA A. HULL, INC. 21900 Burbank Blvd., 3rd Floor Woodland Hills, CA 91367 TELEPHONE NO.: (818) 992-2924 FAX NO.: (818) 322-1321 ATTORNEY FOR (Name): Roya Saghafi		FOR COURT USE ONLY UNFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles JUN 01 2018 Sherri R. Lurici, Executive Officer/Clerk By: Glorietta Robinson, Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: Los Angeles, CA. 90012 CITY AND ZIP CODE: Central BRANCH NAME:		CASE NAME: Roya Saghafi vs. Palisades Charter High School, et al.	
CIVIL CASE COVER SHEET ☒ Unlimited (Amount demanded exceeds \$25,000) ☐ Limited (Amount demanded is \$25,000 or less)		Complex Case Designation ☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: BC 708497 JUDGE: _____ DEPT: _____	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort ☐ Auto (22) ☐ Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort ☐ Asbestos (04) ☐ Product liability (24) ☐ Medical malpractice (45) ☐ Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort ☐ Business tort/unfair business practice (07) ☐ Civil rights (08) ☐ Defamation (13) ☐ Fraud (16) ☐ Intellectual property (19) ☐ Professional negligence (25) ☐ Other non-PI/PD/WD tort (35) Employment ☐ Wrongful termination (36) ☒ Other employment (15)	Contract ☐ Breach of contract/warranty (06) ☐ Rule 3.740 collections (09) ☐ Other collections (09) ☐ Insurance coverage (18) ☐ Other contract (37) Real Property ☐ Eminent domain/Inverse condemnation (14) ☐ Wrongful eviction (33) ☐ Other real property (26) Unlawful Detainer ☐ Commercial (31) ☐ Residential (32) ☐ Drugs (38) Judicial Review ☐ Asset forfeiture (05) ☐ Petition re: arbitration award (11) ☐ Writ of mandate (02) ☐ Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) ☐ Antitrust/Trade regulation (03) ☐ Construction defect (10) ☐ Mass tort (40) ☐ Securities litigation (28) ☐ Environmental/Toxic tort (30) ☐ Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment ☐ Enforcement of judgment (20) Miscellaneous Civil Complaint ☐ RICO (27) ☐ Other complaint (not specified above) (42) Miscellaneous Civil Petition ☐ Partnership and corporate governance (21) ☐ Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. ☐ Large number of separately represented parties b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. ☐ Substantial amount of documentary evidence	d. ☐ Large number of witnesses e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. ☐ Substantial postjudgment judicial supervision
--	--

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify): Seven (7)

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 1, 2018
 Ann A. Hull

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE **Roya Saghafi**

CASE NUMBER

BC 708497

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

Auto
TortOther Personal Injury/Property
Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE:	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/ Wrongful Death Tort	Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	☒ A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	☐ A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	☐ A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case ☐ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Real Property	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE:	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus	2, 8
		☐ A6152 Writ - Mandamus on Limited Court Case Matter	2
		☐ A6153 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	☐ A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment	2, 5, 11
		☐ A6160 Abstract of Judgment	2, 6
		☐ A6107 Confession of Judgment (non-domestic relations)	2, 9
		☐ A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		☐ A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	☐ A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only	1, 2, 8
		☐ A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		☐ A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	☐ A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment	2, 3, 9
		☐ A6123 Workplace Harassment	2, 3, 9
		☐ A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		☐ A6190 Election Contest	2
		☐ A6110 Petition for Change of Name/Change of Gender	2, 7
		☐ A6170 Petition for Relief from Late Claim Law	2, 3, 8
	☐ A6100 Other Civil Petition	2, 9	

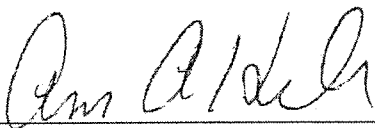
SHORT TITLE: Roya Saghafi	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: ☐ 1. ☒ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☐ 11.		ADDRESS: 17738 Collins Street	
CITY: Encino	STATE: CA	ZIP CODE: 91316	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 6-1-18


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

EXHIBIT B

1 Ann A. Hull, Esq. SBN: 252855
2 Hannah J. Robinson, Esq. SBN: 304481
3 LAW OFFICES OF ANN A. HULL, INC.
4 21900 Burbank Blvd., Third Floor
5 Woodland Hills, CA 91367
6 Telephone: (818) 992-2924
7 Facsimile: (818) 322-1321

8 Attorney for Plaintiff, ROYA SAGHAFI

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

11 ROYA SAGHAFI, an individual,
12 Plaintiff,

13 v.

14 PALISADES CHARTER HIGH SCHOOL, a
15 corporation; AMY NGUYEN, an individual;
16 and DOES 1 through 10,
17 Defendants

) Case No.: BC708497
) Filed: June 1, 2018
) Judge: Ruth Ann Kwan
) Dept.: 72

18 **PLAINTIFF'S RESPONSE TO FORM**
19 **INTERROGATORIES, GENERAL, SET**
20 **ONE, OF AMY NGUYEN**

21 PROPOUNDING PARTY: DEFENDANT, AMY NGUYEN
22 RESPONDING PARTY: PLAINTIFF, ROYA SAGHAFI
23 SET NUMBER: ONE

24 **PRELIMINARY STATEMENT**

25 Plaintiff has not fully completed her investigation, discovery analysis, legal research and
26 preparation for trial. The responses contained herein are based only upon the information and
27 documentation presently available to Plaintiff. It is possible that further investigation, discovery,
28 analysis, legal research and/or preparation may result in the ascertainment of additional
information or documentation or provide additional meaning to known factual conclusions and
legal contentions, all of which may result in the modification of these responses. Accordingly,
Plaintiff reserves the right to modify the responses herein based upon subsequently ascertained or
developed information, documentation, facts, or contentions. Subject to the objections asserted

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
SET ONE, OF AMY NGUYEN**

1 herein, Plaintiff's responses are made in a good faith effort to reasonably respond to Defendant's
2 Requests based upon presently available information and documentation. These responses and
3 objections should not be construed to prejudice Plaintiff's right to conduct further investigation,
4 discovery, analysis, legal research and/or preparation, or to limit Plaintiff's right to utilize any
5 additional evidence that may be discovered.

6 By making these responses, Plaintiff does not concede that the information sought is
7 relevant. Each of these responses or objections is based on Plaintiff's understanding of each
8 individual Request herein. To the extent that Defendant asserts an interpretation of any Request
9 that is inconsistent with Plaintiff's understanding, Plaintiff reserves the right to supplement or
10 amend its responses and objections as appropriate.

11 The responses and objections are made without intending to waive or waiving but, on the
12 contrary, intending to preserve and preserving: (1) the right to raise in any subsequent proceeding
13 or in the trial of this or any other action all questions of relevancy, materiality, privilege, and
14 evidentiary admissibility of any response herein or document produced hereto; (2) the right to
15 object on any ground to the use or introduction into evidence of said Requests' Response in any
16 subsequent proceeding or in the trial of this or any other action on any ground; (3) the right to
17 object on any ground at any time to Requests, Responses, or other discovery involving said
18 Request or the subject matter thereof; and, (4) the right to seek entry of an appropriate protective
19 order.

20 GENERAL OBJECTIONS

21 Plaintiff's response to each and every Request is subject to the General Objections set
22 forth below. In addition to those objections that may be specifically set forth in response to a
23 particular Request, Plaintiff incorporates (into each of the individual responses) the general and
24 recurring objections set forth below (to the extent applicable). These objections form a part of the
25 responses to each and every Request and are set forth here to avoid the duplication and repetition
26 involved in restating them for each response.

27 1. Plaintiff objects to these Requests and the "definitions" contained therein to the
28 extent they seek information protected from disclosure by various privileges, including, but not
limited to, the attorney-client privilege and/or work-product doctrines, all privileges set forth in
Evidence Code §§ 991-1060, 1152, 1152.5, and 1154, Code of Civil Procedure § 2018.010 *et*
seq., and any other applicable statutory, common law, or constitutional privileges. Any
information provided in the following responses shall not constitute a waiver of any of the

PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL, SET ONE, OF AMY NGUYEN

1 privileges, immunities or objections enumerated herein. Any inadvertent disclosure of such
2 information shall not be deemed a waiver of the attorney-client privilege, the attorney work
3 product doctrine, or any other applicable privilege or immunity recognized by statute or case law.
4 To the extent Plaintiff agrees to produce any such information, said information will only be
5 produced subject to entry of an appropriate protective order.

6 2. Plaintiff objects to these Requests and the "Definitions" contained therein to the
7 extent that the information sought is not specified with sufficient particularity or is not relevant to
8 this action. Such overbreadth renders these Requests oppressive.

9 3. Plaintiff objects to these Requests and the "Definitions" contained therein to the
10 extent they seek disclosure of trade secret and otherwise confidential and proprietary business
11 information. To the extent Plaintiff agrees to produce any such information, said information will
12 only be produced subject to entry of an appropriate protective order.

13 4. Plaintiff objects to these Requests and the "definitions" contained therein to the
14 extent that they seek information protected from disclosure by the right to privacy of third parties
15 set forth in Article I, § 1 of the California Constitution and other applicable statutory provisions.

16 5. Plaintiff objects to these Requests and the "Definitions" contained therein to the
17 extent they prematurely seek discovery of the identity, opinions and/or work product of any of
18 Plaintiff's expert consultants.

19 6. Plaintiff objects to these Requests and the "definitions" contained therein to the
20 extent they are vague and ambiguous, in that the manner in which specific Requests are phrased
21 creates confusion given the issues involved in the litigation.

22 7. Plaintiff has not completed his/her discovery, investigation, or trial preparation in
23 this case. Therefore, these responses are made without prejudice to Plaintiff's right to present
24 additional information or causes of action at trial based upon information hereinafter obtained or
25 evaluated. Plaintiff reserves the right to supplement or amend these responses or present
26 additional evidence and/or causes of action at a later date.

27 8. The following responses are subject to all objections if such statements are offered
28 in court, and all such objections are reserved and may be interposed at the time of trial or at any
other time. Plaintiff is not making any incidental or implied admissions regarding the contents of
any response. The fact that Plaintiff has responded to any Request should not be taken as an
admission as to the existence of any fact or veracity of any conclusion set for in or assumed by
the Request, or that such response constitutes admissible evidence. The fact that Plaintiff has

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
SET ONE, OF AMY NGUYEN**

1 answered any Request is not intended to, not shall it, be construed as a waiver by Plaintiff of all
2 or any part of any objection to any Request.

3 9. Some of the documents produced subject to this production request may have been
4 produced by the Defendant(s) in this case and/or obtained from third parties. The fact that
5 Plaintiff has produced any document that was obtained from the Defendant, or any third party, in
6 itself, is not intended to act as a waiver of or to any objection to its admission into evidence.

7 The foregoing Preliminary Statement and General Objections may be referenced
8 specifically in response to certain Requests for the purpose of clarity; however, the specific
9 objections set forth below are not a waiver, in whole or in part, of any of these General
10 Objections, and the failure to specifically incorporate a General Objection should not be
11 construed as a waiver of the objection.

12 **INTERROGATORY NO. 1.1:**

13 State the name, ADDRESS, telephone number, and relationship to you of each PERSON
14 who prepared or assisted in the preparation of the responses of these interrogatories. (No not
15 identify anyone who simply typed or reproduced the responses.)

16 **RESPONSE NO. 1.1:**

17 Ann A. Hull, Esq., Law Offices of Ann A. Hull, Inc., 21900 Burbank Blvd., Third Floor,
18 Woodland Hills, CA 91367; (818) 992-2924; Ann A. Hull is my attorney.

19 **INTERROGATORY NO. 2.1:**

20 State: (a) your name; (b) every name you have used in the past; and, (c) the dates you used
21 each name.

22 **RESPONSE NO. 2.1:**

23 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
24 responds as follows: (a)Saghafi, Roya; (b) none; (c) since December 28, 1954. Investigation and
25 discovery continue.

26 **INTERROGAOTRY NO. 2.2:**

27 State the date and place of your birth:

28 **RESPONSE NO. 2.2:**

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: December 28, 1954; Born in Tehran Iran. Investigation and discovery
continue.

- 4 -

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
SET ONE, OF AMY NGUYEN**

1 **INTERROGATORY NO. 2.3:**

2 At the time of the INCIDENT, did you have a drivers license? If so, state:

- 3 (a) The state or other issuing entity.
4 (b) The license number and type:
5 (c) The date of issuance; and
6 (d) All restrictions

6 **RESPONSE NO. 2.3:**

7 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
8 responds as follows: (a) California; (b) C2625003; (c) October 29, 2013 ;(d) no restrictions.
9 Investigation and discovery continue.

10 **INTERROGATORY NO. 2.4:**

11 At the time of the INCIDENT, did you have any other permit or license for the operation
12 of a motor vehicle? If so, state:

- 12 (a) The state or other issuing entity;
13 (b) The license number and type;
14 (c) The state of issuance; and
15 (d) All restrictions

16 **RESPONSE NO. 2.4:**

17 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
18 responds as follows: No. Investigation and discovery continue.

18 **INTERROGATORY NO. 2.5:**

19 State: (a) your present residence ADDRESS; (b) your residence address for the past five
20 years; and, (c) the dates you lived at each address.

21 **RESPONSE NO. 2.5:**

22 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
23 responds as follows: (a) 17738 Collins St., Encino, CA 91316; (b) 17738 Collins St., Encino, CA
24 91316; 10883 Rose Ave. #102, Los Angeles, CA 91316; (c) I lived on Collins Street in Encino
25 from about November 3, 2014, to the present and at 10883 Rose Ave. #102, Los Angeles, CA
26 90034, from around 2002, until around November 3, 2014. Investigation and discovery continue.

26 **INTERROGATORY 2.6:**

27 The name, ADDRESS, and telephone number of your present employer or place of self -
28 employment; and (b) the name, ADDRESS, dates of employment, job title, and nature of work for

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
SET ONE, OF AMY NGUYEN**

1 each employer or self-employment you have had from five years before the INCIDENT until
2 today.

3 **RESPONSE NO. 2.6:**

4 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
5 responds as follows: (a) Palisades Charter High School, 15777 Bowdoin Pacific Palisades, CA
6 90272, (310) 230-6623; (b) August, 2002, Science Teacher. Investigation and discovery
7 continue.

8 **INTERROGATORY NO. 2.7:**

9 State: (a) the name and ADDRESS, of each school or other academic or vocational
10 institution you have attended, beginning with high school; (b) the dates you attended; (c) the
11 highest grade-level you have completed; and, (d) the degrees received.

12 **RESPONSE NO. 2.7:**

13 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
14 responds as follows: (a) Hadaf High School in Tehran Iran; University of Science & Technology
15 Tehran Iran; University of New Haven, 300 Boston Post Road, New Haven, CT, 06516; National
16 University; Cal Poly Pomona, 3801 W. Temple Avenue, Pomona, CA. 91768; California State
17 University Dominguez Hills, 1000 E. Victoria Street., Carson, CA. 90747; UCLA, 1147 Murphy
18 Hall, Box 951436, Los Angeles, CA. 90095; UC Irvine, Irvine, CA. 92697; Santa Monica
19 College, 1900 Pico Blvd., Santa Monica, CA 90405; El Camino College, 16007 Crenshaw
20 Blvd., Torrance, CA. 90506; Western State University of Law, 1 Banting, Irvine, CA. 92618; (b)
21 I don't remember the dates; (c) Bachelor Degree In Engineering; Teacher Credential Program;
22 various Graduate Courses; (d) Bachelor in Mechanical Engineering. Investigation and discovery
23 continue.

24 **INTERROGATORY 2.8:**

25 Have you ever been convicted of a felony? If so, for each conviction state: (a) the city
26 and state where you were convicted; (b) the date of the conviction; (c) the offense; and (d) the
27 court and case number.

28 **RESPONSE NO. 2.8:**

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: No. Investigation and discovery continue.

INTERROGATORY NO. 2.9:

Can you speak English with ease? If not, what language and dialect do you normally use?

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
SET ONE, OF AMY NGUYEN**

1 **RESPONSE NO. 2.9:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: To some extent, yes. I am able to teach and lecture at the high school level
4 without a problem. I have some difficulty understanding complex language outside of the area of
5 my specialization and education, such as legal terms. Sometimes I get confused with words in
6 English that have multiple meanings. Also, sometimes it is difficult to translate from Farsi to
7 English because Farsi is a very descriptive language and, when certain ideas are translated into
8 English, the translation is inadequate or sounds odd to people who speak English. Investigation
and discovery continue.

9 **INTERROGATORY NO. 2.10:**

10 Can you read and write English with ease? If not, what language and dialect do you
11 normally use?

12 **RESPONSE NO. 2.10:**

13 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
14 responds as follows: To some extent, yes. I am able to teach and lecture at the high school level
15 without a problem. I have some difficulty understanding complex language outside of the area of
16 my specialization and education, such as legal terms. Sometimes I get confused with words in
17 English that have multiple meanings. Also, sometimes it is difficult to translate from Farsi to
18 English because Farsi is a very descriptive language and, when certain ideas are translated into
English, the translation is inadequate or sounds odd to people who speak English. Investigation
and discovery continue.

19 **INTERROGATORY NO. 2.11:**

20 At the time of the INCIDENT were you acting as an agent or employee for any person? If
21 so, state: (a) the name, ADDRESS, and telephone number of that PERSON and, (b) a description
22 of your duties.

23 **RESPONSE NO 2.11:**

24 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
25 responds as follows: Yes, with the notation that the term INCIDENT is not clear, since my
26 lawsuit stems from many individual incidents. (a) Palisades Charter High School, 15777
Bowdoin Street, Pacific Palisades, A 90272; (b) I am a high school science teacher. Investigation
27 and discovery continue.

28 **INTERROGATORY NO. 2.12:** - 7 -

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1 At the time of the INCIDENT did you or any other person have any physical, emotional,
2 or mental disability or condition that may have contributed to the occurrence or the INCIDENT?
3 If so, for each person state: (a) the name, ADDRESS, and telephone number; (b) the nature of the
4 disability or condition, and, (c) the manner in which the disability or condition contributed to the
5 occurrence of the INCIDENT.

6 **RESPONSE NO. 2.12:**

7 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
8 responds as follows: Not that I know of. Investigation and discovery continue.

9 **INTERROGATORY NO. 2.13:**

10 Within 24 hours before the INCIDENT did you or any person involved in the INCIDENT
11 use or take any of the following substances: alcoholic beverages, marijuana, or other drug or
12 medication of any kind (prescription or not)? If so, for each person state: (a) the name,
13 ADDRESS, and telephone number; (b) the nature or description of each substance; (c) the
14 quantity of each substance taken; (d) the date and time of day when each substance was used or
15 taken; (e) the ADDRESS where each substance was used or taken; (f) the name, ADDRESS, and
16 telephone number of each person who was present when each substance was used or taken; and
17 (g) the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who
18 prescribed or furnished the substance and the condition for which it was prescribed or furnished.

19 **RESPONSE NO. 2.13:**

20 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff responds
21 as follows: No. Investigation and discovery continue.

22 **INTERROGATORY NO. 4.1:**

23 At the time of the INCIDENT, was there in effect any policy of insurance through which
24 you were or might be insured in any manner (for example, primary, pro-rata, or excess liability
25 coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of
26 the INCIDENT? If so, for each policy state:

- 27 (a) The kind of coverage;
28 (b) The name and ADDRESS of the insurance company;
(c) The name, ADDRESS, or telephone number of each named insured;
(d) The policy number;
(e) The limits of coverage for each type of coverage contained in the policy;
(f) Whether any reservation of rights or controversy or coverage dispute exists between

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1 you and the insurance company; and,
2 (g) The name, ADDRESS, and telephone number of the custodian of the policy.

3 **RESPONSE NO. 4.1:**

4 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff responds
5 as follows: (a) Medical; (b) Anthem Blue Cross, P.O. Box 60007, Los Angeles, CA 90060, (800)
6 825-5541; (c) Roya Saghabi, 17738 Collins St., Encino, CA 90034; (d) Identification number
7 SIF650A52093; (e) Medical coverage; (f) unknown (g) Anthem Blue Cross, P.O. Box 60007, Los
8 Angeles, CA 90060. Investigation and discovery continue.

9 **INTERROGATORY NO. 6.1:**

10 Do you attribute any physical, mental, or emotional injuries to the INCIDENT? (If your
11 answer is "no." do not answer interrogatories 6.2 through 6.7).

12 **RESPONSE NO. 6.1:**

13 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
14 responds as follows: Yes. Investigation and discovery continue.

15 **INTERROGATORY NO. 6.2:**

16 Identify each injury you attribute to the INCIDENT and the area of your body affected.

17 **RESPONSE NO. 6.2:**

18 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
19 responds as follows: Emotional distress, anxiety attack, physically attacked by Mr. Steil, he
20 grabbed by arm, hand, and both wrists. I suffer from nightmares, fear, headaches, stomachaches,
21 and nausea. Investigation and discovery continue.

22 **INTERROGATORY 6.3:**

23 Do you still have any complaints that you attribute to the INCIDENT? If so, for each
24 complaint state: (a) a description; (b) whether the complaint is subsiding, remaining the same, or
25 becoming worse; and (c) the frequency and duration.

26 **RESPONSE NO. 6.3:**

27 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
28 responds as follows: Yes. a) emotional distress, attack from teacher (arm, hand, wrist), anxiety,
29 fear, headache, stomachache, nausea, nightmares, and worries about retaliation against me; (b)
30 numbing on hands is less, nightmares, stress and anxiety have worsened; (c) I suffer from anxiety
31 all the time. It elevated after the incident in June of 2017, when the police came to my house
32 following the false accusations that Amy Nguyen. In December of 2017 the anxiety and fear

1 became overwhelming after I received a letter from Pali High stating that I would not be allowed
2 to teach and was being placed on involuntary leave. Investigation and discovery continue.

3 **INTERROGATORY NO. 6.4:**

4 Did you receive any consultation or examination (except from expert witnesses covered
5 by Code of Civil Procedure sections 2034.210-2034.310) or treatment from a HEALTH CARE
6 PROVIDER for any injury that you attribute to the INCIDENT. If so, for each HEALTH CARE
7 PROVIDER state: (a) the name, ADDRESS, and telephone number; (b) the type of consultation,
8 examination, or treatment provided; (c) the dates you received consultation, examination, or
9 treatment; and (d) the charges to date.

10 **RESPONSE NO. 6.4:**

11 Subject to and without waiving the foregoing recurring and specific
12 objections, Plaintiff responds as follows: Yes. a) Justin Domenick, San Fernando Valley
13 Neurology, 318370 Burbank Blvd., #107, Tarzana, CA 91356; Schiel Ahaddin, M.D Neurology,
14 9735 Wilshire Blvd., #228, Beverly Hills, CA 91212; Jamshid Azari, M.D., Airport Urgent Care,
15 1117 W. Manchester Blvd, Inglewood 90301; Kenneth Nazari, Neurologist, 501 E. Hardy St.,
16 #424, Inglewood, CA 90031; Robin Schwartz, 13400 Riverside Dr. Sherman Oaks, CA 91423,
17 Therapist; Afshin Emrani, Heart Specialist, 18730 Burbank Blvd., Suite 410, Tarzana, CA
18 91356, (818) 996-4100; Azadeh Rahimi, Workers Compensation Therapist, 16661 Ventura Blvd,
19 Encino, CA 91316. (b) Therapist, Neurology, General medicine, heart specialist; (c) I do not
20 know the dates; (d) unknown. Investigation and discovery continue.

21 **INTERROGATORY NO. 6.5:**

22 Have you taken any medication, prescribed or not, as a result of injuries that you attribute
23 to the INDICENT? If so, for each medication state: (a) the name; (b) the PERSON who
24 prescribed or furnished it; (c) the date it was prescribed or furnished; (d) the dates you stopped
25 taking it; and (e) the cost to date.

26 **RESPONSE NO. 6.5:**

27 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
28 responds as follows: (a) Excedrin and Advil for headaches; diazepam, 12/23/17 for anxiety,
Soheil Ahaddin; diazepam, 09/01/2017 for anxiety, Azari, M.D.; (b) Excedrin and Advil from
12/23/2017 t until the present, Diazepam from 09/01/2017-05/05/2017 (c) Excedrin and Advil
from 12/23/2017 until the present, Diazepam from 09/01/2017-05/05/2017 (d) Unknown
Investigation and discovery continue.

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1 **INTERROGATORY NO. 6.6:**

2 Are there any other medical services necessitated by the injuries that you attribute to the
3 INCIDENT that were not previously listed (for example, ambulance, nursing, prosthetics)? If so,
4 for each service state: (a) the nature; (b) the date; (c) the cost; and (d) the name, ADDRESS, and
5 telephone number of each provider.

6 **RESPONSE NO. 6.6:**

7 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
8 responds as follows: No. Investigation and discovery continue.

9 **INTERROGATORY 6.7:**

10 Has any HEALTH CARE PROVIDER advised you that you may require future or
11 additional treatment for any injuries that you attribute to the INCIDENT? If so, for each injury
12 state: (a) the name and ADDRESS of each HEALTH CARE PROVIDER; (b) the complaints for
13 which the treatment was advised; and (c) the nature, duration, and estimated cost of the treatment.

14 **RESPONSE NO. 6.7:**

15 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
16 responds as follows: (a) Jamshid Azari, M.D., Airport Urgent Care, 1117 W. Manchester Blvd,
17 Inglewood, CA 90301; (b) Anxiety; (c) Unknown. Investigation and discovery continue.

18 **INTERROGATORY NO. 7.1:**

19 Do you attribute any loss or damage to a vehicle or other property to the INCIDENT? If
20 so, for each item of property; (a) describe the property; (b) describe the nature and location of the
21 damage to the property; (c) state the amount of damage you are claiming for each item of
22 property and how the amount was calculated; and (d) if the property was sold, state the name,
23 ADDRESS, and telephone number of the seller, the date of sale, and the sale price.

24 **RESPONSE NO. 7.1:**

25 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
26 responds as follows: No. Investigation and discovery continue.

27 **INTERROGATORY NO. 7.2:**

28 Has a written estimate or evaluation been made for any item of property referred to in
your answer to the preceding interrogatory? If so, for each estimate or evaluation state: (a) the
name, ADDRESS, and telephone number of the PERSON who prepared it and the date prepared;
(b) the name, ADDRESS, and telephone number of each PERSON who has a copy of it; and
(c) the amount of damage stated.

1 **RESPONSE NO. 7.2:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: No. Investigation and discovery continue.

4 **INTERROGATORY NO. 7.3:**

5 Has any item of property referred to in your answer to interrogatory 7.1 been repaired? If
6 so, for each item state: (a) the date repaired; (b) a description of the repair; (c) the repair costs; (d)
7 the name, ADDRESS, telephone number of the PERSON, who repaired it; (e) the name,
ADDRESS, and telephone number of the PERSON, who paid for the repair.

8 **RESPONSE NO. 7.3:**

9 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
10 responds as follows: Not applicable. Investigation and discovery continue.

11 **INTERROGATORY NO. 8.1:**

12 Do you attribute any loss of income or earning capacity to the INCIDENT? (If your
13 answer is "no," do not answer interrogatories 8.2 through 8.8).

14 **RESPONSE NO. 8.1:**

15 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
16 responds as follows: I do not know at this time and intend to use an expert to assist me in
calculations concerning my losses. Investigation and discovery continue.

17 **INTERROGATORY NO. 8.2:**

18 State: (a) the nature of your work; (b) your job title at the time of the INCIDENT; and (c)
the date your employment began.

19 **RESPONSE NO. 8.2:**

20 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
21 responds as follows: a) Teaching; b) Science teacher; c) August, 2002. Investigation and
discovery continue.

22 **INTERROGATORY NO. 8.3:**

23 State the last date before the INCIDENT that you worked for compensation.

24 **RESPONSE NO. 8.3:**

25 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
26 responds as follows: I am currently working. Investigation and discovery continue.

27 **INTERROGATORY NO. 8.4:**

28 State your monthly income at the time of the INCIDENT and how the amount was

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1 calculated.

2 **RESPONSE NO. 8.4:**

3 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
4 responds as follows: My monthly income varied, depending on whether or not I was allowed to
5 teach extra classes. Because there were many incidents that gave rise to this lawsuit, I do not
6 know how to answer this question. I intend to use an expert to assist me in calculations
concerning my losses. Investigation and discovery continue.

7 **INTERROGATORY 8.5:**

8 State the date you returned to work at each place of work following the INCIDENT.

9 **RESPONSE NO. 8.5:**

10 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
11 responds as follows: I was allowed to return to work on August 13, 2018, after being placed on
12 involuntary leave. Investigation and discovery continue.

13 **INTERROGATORY NO. 8.6:**

14 State the dates you did not work and for which you lost income as a result.

15 **RESPONSE NO. 8.6:**

16 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
17 responds as follows: This question is impossible to answer because I would have to guess on
18 how to answer it. For example, I was placed on involuntary leave. During that time, had I been
19 working and treated fairly, I would have been assigned extra classes, which would have caused
me to make more money than I would have made while being on leave.

20 Investigation and discovery continue.

21 **INTERROGATORY NO. 8.7:**

22 State the total income you have lost to date as a result of the INCIDENT and how the
amount was calculated.

23 **RESPONSE NO. 8.7:**

24 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
25 responds as follows: My monthly income varied, depending on whether or not I was allowed to
26 teach extra classes. Because there were many incidents that gave rise to this lawsuit, I do not
27 know how to answer this question. I intend to use an expert to assist me in calculations
concerning my losses. Investigation and discovery continue.

1 **INTERROGATORY NO. 8.8:**

2 Will you lose income in the future as a result of the INCIDENT? If so, state; (a) the facts
3 upon which you base this contention; (b) the estimate of the amount; (c) the estimate of how long
4 you will be unable to work; and (d) how the claim for future income is calculated.

5 **RESPONSE NO. 8.8:**

6 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff responds
7 as follows: Yes. (a) If in constant fear that I will be terminated and will lose my full retirement
8 and that I will be too old to earn retirement at another school; (b) unknown at this time (c) I do
9 not know; (d) My monthly income varies, depending on whether or not I am allowed to teach
10 extra classes. Because there were many incidents that gave rise to this lawsuit, I do not know
11 how to answer this question. I intend to use an expert to assist me in calculations concerning my
12 losses. Investigation and discovery continue.

13 **INTERROGATORY NO. 9.1:**

14 Are there any other damage that you attribute to the INCIDENT? If so, for each item of
15 damage state: (a) the nature; (b) the date it occurred; (c) the amount; and (d) the name,
16 ADDRESS, and telephone number for each PERSON to whom an obligation was incurred.

17 **RESPONSE NO. 9.1:**

18 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
19 responds as follows: My monthly income varies, depending on whether or not I was/am allowed
20 to teach extra classes. Because there were many incidents that gave rise to this lawsuit, I do not
21 know how to answer this question. I intend to use an expert to assist me in calculations
22 concerning my losses. Investigation and discovery continue.

23 **INTERROGATORY NO. 9.2:**

24 Do any DOCUMENTS support the existence or amount of any item of damages claimed
25 in interrogatory 9.1? If so, describe each document and state the name, ADDRESS, and telephone
26 number of the PERSON who has each DOCUMENT.

27 **RESPONSE NO. 9.2:**

28 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
29 responds as follows: I don't know. I intend to use an expert to assist me in calculations
30 concerning my losses. Investigation and discovery continue.

31 **INTERROGATORY NO. 10.1:**

32 At any time before the INCIDENT did you have complaints or injuries that involved the

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1 same part of your body claimed to have been injured in the INCIDENT? If so, for each injury
2 state: (a) a description of the complaint of injury; (b) the dates that it began and ended; and (c)
3 the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER whom you
4 consulted or who examined or treated you.

5 **RESPONSE NO. 10.1:**

6 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
7 responds as follows: (a) A few days before the attack, I had a bug bite on my hand. However, I
8 was okay at the time of the attack. Tingling on fingers many years back. I don't know the dates
9 at this time; (b) I do not remember the dates; (c) Jamshid Azari, M.D., Airport Urgent Care, 1117
10 W. Manchester Blvd, Inglewood, CA 90301. Investigation and discovery continue.

11 **INTERROGATORY NO. 10.2:**

12 List all physical, mental, and emotional disabilities you had immediately before the
13 INDICENT. (You may omit mental or emotional disabilities unless you attribute any mental or
14 emotional injury to the INCIDENT).

15 **RESPONSE NO. 10.2:**

16 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
17 responds as follows: It is difficult for me to answer this question because there are so many
18 incidents that occurred. I suffered from anxiety and stress because of all the discrimination to
19 which I was subjected at Pali High. This occurred over a number of years. Investigation and
20 discovery continue.

21 **INTERROGATORY NO. 10.3:**

22 At any time after the INCIDENT, did you sustain injuries of the kind for which you are
23 now claiming damages? If so, for each incident giving rise to an injury state: (a) the date and
24 place it occurred; (b) the name, ADDRESS, and telephone number of any other PERSON
25 involved; (c) the nature of any injuries sustained; (d) the name, ADDRESS, and telephone
26 number of each HEALTH CARE PROVIDER you consulted or who examined or treated you;
27 and (e) the nature of the treatment and duration.

28 **RESPONSE NO. 10.3:**

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: Yes. I continue to suffer from anxiety, stress, worry, fear, and depression.
There are multiple incidents that happened over a period of years and I do not know all of the
dates because there were so many incidents. Sometimes several incidents or harassment and

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1 discrimination and retaliation would occur in one day. My health care providers and their contact
2 information are listed above, Investigation and discovery continue.

3 **INTERROGATORY NO. 11.1:**

4 Except for this action, in the past 10 years have you filed an action or made a written
5 claim or demand for compensation for your personal injuries? If so, for each action, claim, or
6 demand state: (a) the date, time, and place and location (closes street ADDRESS or intersection)
7 of the intersection) of the INCIDENT giving rise to the action, claim, or demand: (b) the name,
8 ADDRESS, and telephone number of each PERSON against whom the claim or demand was
9 made or the action filed; (c) the court, names of the parties, the case number or any action filed;
10 (d) the name, ADDRESS, and telephone number of any attorney representing you; (e) whether
the claim or action has been resolved; and (f) a description of the injury.

11 **RESPONSE NO. 11.1:**

12 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
13 responds as follows: I filed a claim for workers compensation. That case was settled a few years
ago. Investigation and discovery continue.

14 **INTERROGATORY 11.2:**

15 In the past 10 years have you made a written claim or demand for workers compensation
16 benefits? If so, for each claim or demand state: (a) the date, time, and place of the INCIDENT
17 giving rise to the claim; (b) the name, ADDRESS, and telephone number of your employer at the
18 time of the injury; (c) the name, ADDRESS, and telephone number of the workers' compensation
19 insurer and the claim number; (d) the period of time during which you received workers
20 compensation benefits; (e) a description of the injury; (f) the name, ADDRESS, and telephone
21 number of any HEALTH CARE PROVIDER who provided services; and (g) the case number at
the Workers' Compensation Appeals Board.

22 **RESPONSE NO. 11.2:**

23 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
24 responds as follows: Yes, with the understanding that this interrogatory refers to the incident
25 when I was attacked by Mr. Steil. (a) November 7, 2014; (b) Palisades Charter High School,
26 15777 Bowdoin Street, Pacific Palisades, CA 90272; (d) My workers compensation case was
denied and I never received worker's comp benefits; (e) Bilateral arms and psychs; (f) Azadeh
27 Rahimi, Therapist, 16661 Ventura Blvd, Encino, CA 91316; (g) ADJ9783240. Investigation and
28 discovery continue.

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1 **INTERROGATORY NO. 12.1:**

2 State the name, ADDRESS, and telephone number of each individual: (a) who witnessed
3 the INCIDENT or the events occurring immediately before or after the INCIDENT; (b) who
4 made any statement at the scene of the INCIDENT; (c) who heard statements made about the
5 INCIDENT by any individual at the scene; and (d) who YOU OR ANYONE ACTING ON
6 YOUR BEHALF claim has knowledge of the INCIDENT (except expert witnesses covered by
Code of Civil Procedure section 2034).

7 **RESPONSE NO. 12.1:**

8 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
9 responds as follows: (a) Myself, Mr. Steil, and some students that were in my class on the date of
10 the attack; (b) Myself and some students that were in my class on the day when I was physically
11 attacked; (c) Myself, some students that were in my class on the date of the attack, Mr. Steil,
12 Karen Perkins, Howard Russell, Jim Shiffman, Kevin Kungm Mr. Schegulter, and Monica
13 Ianassa; (d) Police, students, Roya Saghafi, Russel Howard, and Jim Shiffman. I do not have
further contact information at this time. Investigation and discovery continue.

14 **INTERROGATORY NO. 12.2:**

15 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual
16 concerning the INCIDENT? If so, for each individual state: (a) the name, ADDRESS, and
17 telephone number of the individual interviewed; (b) the date of the interview; and (c) the name,
ADDRESS, and telephone number of the PERSON who conducted the interview.

18 **RESPONSE NO. 12.2:**

19 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
20 responds as follows: No. Investigation and discovery continue.

21 **INTERROGATORY NO. 12.3:**

22 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded
23 statement from any individual concerning the INCIDENT. If so, for each statement state: (a) the
24 name, ADDRESS, and telephone number of the individual from whom the statement was
25 obtained; (b) the name, ADDRESS, and telephone number of the individual who obtained the
26 statement; (c) the date the statement was obtained; and (d) the name, ADDRESS, and telephone
number of each person who has the original statement or a copy.

27 **RESPONSE NO. 12.3:**

28 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff

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1 responds as follows: Yes, with the notation that, because there were so many incidents in which I
2 was subjected to harassment, discrimination and retaliation, it is impossible to identify all
3 incidents and all individuals who were witnesses. (a) All students that were present in my class at
4 the time of the attack by the photography teacher were instructed to write a statement. I also
5 speculate that the school may have reports and that reports were made by the Shaw company. I
6 do not have the names, addresses, or telephone numbers of the individuals and have to speculate
7 as to who they are with the exception of those who have already been identified in the documents
8 that were provided in discovery; (b) Russel Howard, Jim Shiffman, and anybody else at Pali High
9 could have obtained a report. Also, I am informed and believe that there were journalists and
10 radio and television reporters that prepared reports concerning the bullying, harassment and
11 discrimination at Pali High, but I do not know their names; (c) I do not know; (d) I am
12 speculating that Palisades High School may have copies of internal reports. The address is:
13 Palisades High School, 15777 Bowdoin Street, Pacific Palisades, CA 90272. Investigation and
14 discovery continue.

15 **INTERROGATORY 12.4:**

16 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films,
17 or videotapes depicting any place, object, or individual concerning the INCIDENT or plaintiff's
18 injuries? If so, state: (a) the number of photographs or feet of film or videotape; (b) the places,
19 objects, or persons photographed, filmed or videotaped; (c) the date the photographs, films, or
20 videotapes were taken; (d) the name, ADDRESS, and telephone number of the individual taking
21 the photographs, films, or videotapes; and (e) the name, ADDRESS, and telephone number of
22 each PERSON who has the original or a copy of the photographs, films, or videotapes.

23 **RESPONSE NO. 12.4:**

24 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
25 responds as follows: I do not know. Investigation and discovery continue.

26 **INTERROGATORY 12.5:**

27 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram,
28 reproduction, or model of any place or thing (except for items developed by expert witnesses
covered by Code of Civil Procedure sections 2034.210-2034.310) concerning the INCIDENT? If
so, for each item state: (a) the type (i.e., diagram, reproduction, or model); (b) the subject matter,
and (c) the name, ADDRESS, and telephone number of each PERSON who has it.

1 **RESPONSE NO. 12.5:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: No. Investigation and discovery continue.

4 **INTERROGATORY NO. 12.6:**

5 Was a report made by any PERSON concerning the INCIDENT? If so, state: (a) the
6 name, title, identification number, and employer of the PERSON who made the report; (b) the
7 name and type of the report made; (c) the name, ADDRESS, and telephone number of the
8 PERSON for whom the report was made; and (d) the name, ADDRESS, and telephone number of
each PERSON who has the original or a copy of the report.

9 **RESPONSE NO. 12.6:**

10 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
11 responds as follows: Yes, with the notation that the term "INCIDENT" is vague and ambiguous
12 within the context of this lawsuit, since it involves so many occasions on which I was subjected to
13 harassment, discrimination, retaliation, and general abuse. (a) I reported to the incident involving
14 the photography teacher who assaulted me. I also complained verbally and in writing about
15 many incidents of discrimination and abuse; (b) I am informed and believe there was an incident
16 report and a police report; (c) myself; (d) Palisades Charter High School, 15777 Bowdoin Street,
Pacific Palisades, CA 90272. Investigation and discovery continue.

17 **INTERROGATORY NO. 12.7:**

18 Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the
19 INCIDENT? If so, for each inspection state: (a) the name, ADDRESS, and telephone number of
20 the individual making the inspection (except for expert witnesses covered by Code of Civil
Procedure sections 2034.210-2034.310); and (b) the date of the inspection.

21 **RESPONSE NO. 12.7:**

22 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
23 responds as follows: No. Investigation and discovery continue.

24 **INTERROGATORY NO. 13.1:**

25 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any
26 individual in the INCIDENT or any party to this action? If so, for each surveillance state: (a) the
27 name, ADDRESS, ad telephone number of the individual or party; (b) the time, date, and place of
the surveillance; (c) the name, ADDRESS, and telephone number of the individual who
28 conducted the surveillance; and (d) the name¹⁹, ADDRESS, and telephone number of each

PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL,
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1 PERSON who has the original or a copy of any surveillance photograph, film, or videotape.

2 **RESPONSE NO. 13.1:**

3 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
4 responds as follows: No. Investigation and discovery continue.

5 **INTERROGATORY NO. 13.2:**

6 Has a written report been prepared on the surveillance? If so, for each written report state:
7 (a) the title; (b) the date; (c) the name, ADDRESS, and telephone number of the individual who
8 prepared the report; and (d) the name, ADDRESS, and telephone number of each PERSON who
has the original or a copy.

9 **RESPONSE NO. 13.2:**

10 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
11 responds as follows: No. Investigation and discovery continue.

12 **INTERROGATORY NO. 14.1:**

13 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON
14 involved in the INCIDENT violated any statute, ordinance, or regulation and that the violation
15 was a legal (proximate) cause of the INCIDENT? If so, identify the name, ADDRESS, and
telephone number of each PERSON and the statute, ordinance, or regulation that was violated.

16 **RESPONSE NO. 14.1:**

17 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
18 responds as follows: Yes. Amy Nguyen. I do not have Ms. Nguyen's address other than her
19 work address, 15777 Bowdoin Street, Pacific Palisades, CA 90272. Investigation and discovery
continue.

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1 **INTERROGATORY NO. 14.2:**

2 Was any PERSON cited or charged with a violation of any statute, ordinance, or
3 regulation as a result of the INCIDENT? If so, for each PERSON state: (a) the name,
4 ADDRESS, and telephone number of the person; (b) the statute, ordinance, or regulation
5 allegedly violated; (c) whether the PERSON entered a plea in response to the citation or charge
6 and, if so, the plea entered; and (d) the name and ADDRESS of the court or administrative
7 agency, names of the parties, and case number:

8 **RESPONSE NO. 14.2:**

9 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
10 responds as follows: I do not know. Investigation and discovery continue.

11 DATE: November 27, 2018

SIGNED: 

Ann A. Hull, Esq.
LAW OFFICES OF ANN A. HULL, INC.
Attorney for Plaintiff
ROYA SAGHAFI

PROOF OF SERVICE

I am a resident of the State of California over the age of eighteen year, and not a party to the within action. My business address is: LAW OFFICES OF ANN A. HULL, INC., 21900 Burbank Blvd., 3rd Floor, Woodland Hills, California 91356. On **November 27, 2018** I served the within documents:

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES, GENERAL, SET ONE,
OF AMY NGUYEN**

_____ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
_____ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
 X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at Woodland Hills, addressed as set forth below.

Theresa M. Marchlewski
Ellen E. Cohen
JACKSON LEWIS P.C.
725 South Figueroa Street, Suite 2500
Los Angeles, CA. 90017-5408
Fax: (213) 698-0430
Theresa.marchlewski@jacksonlewis.com
Ellen.cohen@jacksonlewis.com

Attorneys for Defendants

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **November 27, 2018** at Woodland Hills, California.

Karen Bonito

EXHIBIT C

1 Ann A. Hull, Esq. SBN: 252855
2 Hannah J. Robinson, Esq. SBN: 304481
3 LAW OFFICES OF ANN A. HULL, INC.
4 21900 Burbank Blvd., Third Floor
5 Woodland Hills, CA 91367
6 Telephone: (818) 992-2924
7 Facsimile: (818) 322-1321

8 Attorney for Plaintiff, ROYA SAGHAFI

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

11 ROYA SAGHAFI, an individual,
12 Plaintiff,

13 v.

14 PALISADES CHARTER HIGH SCHOOL, a
15 corporation; AMY NGUYEN, an individual;
16 and DOES 1 through 10,
17 Defendants

} Case No.: BC708497
} Filed: June 1, 2018
} Judge: Ruth Ann Kwan
} Dept.: 72

} **PLAINTIFF'S RESPONSE TO FORM
} INTERROGATORIES (EMPLOYMENT),
} SET ONE OF AMY NGUYEN**

18 PROPOUNDING PARTY: DEFENDANT, AMY NGUYEN

19 RESPONDING PARTY: PLAINTIFF, ROYA SAGHAFI

20 SET NUMBER: ONE

21 **PRELIMINARY STATEMENT**

22 Plaintiff has not fully completed her investigation, discovery analysis, legal research and
23 preparation for trial. The responses contained herein are based only upon the information and
24 documentation presently available to Plaintiff. It is possible that further investigation, discovery,
25 analysis, legal research and/or preparation may result in the ascertainment of additional
26 information or documentation or provide additional meaning to known factual conclusions and
27 legal contentions, all of which may result in the modification of these responses. Accordingly,
28 Plaintiff reserves the right to modify the responses herein based upon subsequently ascertained or
developed information, documentation, facts, or contentions. Subject to the objections asserted

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**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
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1 herein, Plaintiff's responses are made in a good faith effort to reasonably respond to Defendant's
2 Requests based upon presently available information and documentation. These responses and
3 objections should not be construed to prejudice Plaintiff's right to conduct further investigation,
4 discovery, analysis, legal research and/or preparation, or to limit Plaintiff's right to utilize any
5 additional evidence that may be discovered.

6 By making these responses, Plaintiff does not concede that the information sought is
7 relevant. Each of these responses or objections is based on Plaintiff's understanding of each
8 individual Request herein. To the extent that Defendant asserts an interpretation of any Request
9 that is inconsistent with Plaintiff's understanding, Plaintiff reserves the right to supplement or
10 amend its responses and objections as appropriate.

11 The responses and objections are made without intending to waive or waiving but, on the
12 contrary, intending to preserve and preserving: (1) the right to raise in any subsequent proceeding
13 or in the trial of this or any other action all questions of relevancy, materiality, privilege, and
14 evidentiary admissibility of any response herein or document produced hereto; (2) the right to
15 object on any ground to the use or introduction into evidence of said Requests' Response in any
16 subsequent proceeding or in the trial of this or any other action on any ground; (3) the right to
17 object on any ground at any time to Requests, Responses, or other discovery involving said
18 Request or the subject matter thereof; and, (4) the right to seek entry of an appropriate protective
19 order.

20 GENERAL OBJECTIONS

21 Plaintiff's response to each and every Request is subject to the General Objections set
22 forth below. In addition to those objections that may be specifically set forth in response to a
23 particular Request, Plaintiff incorporates (into each of the individual responses) the general and
24 recurring objections set forth below (to the extent applicable). These objections form a part of the
25 responses to each and every Request and are set forth here to avoid the duplication and repetition
26 involved in restating them for each response.

27 1. Plaintiff objects to these Requests and the "definitions" contained therein to the
28 extent they seek information protected from disclosure by various privileges, including, but not
limited to, the attorney-client privilege and/or work-product doctrines, all privileges set forth in
Evidence Code §§ 991-1060, 1152, 1152.5, and 1154, Code of Civil Procedure § 2018.010 *et*
seq., and any other applicable statutory, common law, or constitutional privileges. Any
information provided in the following responses shall not constitute a waiver of any of the

PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET ONE OF AMY NGUYEN

1 privileges, immunities or objections enumerated herein. Any inadvertent disclosure of such
2 information shall not be deemed a waiver of the attorney-client privilege, the attorney work
3 product doctrine, or any other applicable privilege or immunity recognized by statute or case law.
4 To the extent Plaintiff agrees to produce any such information, said information will only be
5 produced subject to entry of an appropriate protective order.

6 2. Plaintiff objects to these Requests and the "Definitions" contained therein to the
7 extent that the information sought is not specified with sufficient particularity or is not relevant to
8 this action. Such overbreadth renders these Requests oppressive.

9 3. Plaintiff objects to these Requests and the "Definitions" contained therein to the
10 extent they seek disclosure of trade secret and otherwise confidential and proprietary business
11 information. To the extent Plaintiff agrees to produce any such information, said information will
12 only be produced subject to entry of an appropriate protective order.

13 4. Plaintiff objects to these Requests and the "definitions" contained therein to the
14 extent that they seek information protected from disclosure by the right to privacy of third parties
15 set forth in Article I, § 1 of the California Constitution and other applicable statutory provisions.

16 5. Plaintiff objects to these Requests and the "Definitions" contained therein to the
17 extent they prematurely seek discovery of the identity, opinions and/or work product of any of
18 Plaintiff's expert consultants.

19 6. Plaintiff objects to these Requests and the "definitions" contained therein to the
20 extent they are vague and ambiguous, in that the manner in which specific Requests are phrased
21 creates confusion given the issues involved in the litigation.

22 7. Plaintiff has not completed his/her discovery, investigation, or trial preparation in
23 this case. Therefore, these responses are made without prejudice to Plaintiff's right to present
24 additional information or causes of action at trial based upon information hereinafter obtained or
25 evaluated. Plaintiff reserves the right to supplement or amend these responses or present
26 additional evidence and/or causes of action at a later date.

27 8. The following responses are subject to all objections if such statements are offered
28 in court, and all such objections are reserved and may be interposed at the time of trial or at any
other time. Plaintiff is not making any incidental or implied admissions regarding the contents of
any response. The fact that Plaintiff has responded to any Request should not be taken as an
admission as to the existence of any fact or veracity of any conclusion set for in or assumed by
the Request, or that such response constitutes admissible evidence. The fact that Plaintiff has

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
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1 answered any Request is not intended to, not shall it, be construed as a waiver by Plaintiff of all
2 or any part of any objection to any Request.

3 9. Some of the documents produced subject to this production request may have been
4 produced by the Defendant(s) in this case and/or obtained from third parties. The fact that
5 Plaintiff has produced any document that was obtained from the Defendant, or any third party, in
6 itself, is not intended to act as a waiver of or to any objection to its admission into evidence.

7 The foregoing Preliminary Statement and General Objections may be referenced
8 specifically in response to certain Requests for the purpose of clarity; however, the specific
9 objections set forth below are not a waiver, in whole or in part, of any of these General
10 Objections, and the failure to specifically incorporate a General Objection should not be
11 construed as a waiver of the objection.

12 **INTERROGATORY NO. 200.1:**

13 Do you contend that the EMPLOYMENT relationship was "at will." If so, (a) state the
14 facts upon which you base this contention; (b) state the name, ADDRESS, and telephone number
15 of each PERSON who has knowledge of those facts; and (c) identify all DOCUMENTS that
16 support your contention.

17 **RESPONSE NO. 200.1:**

18 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
19 responds as follows: No. Investigation and discovery continue.

20 **INTERROGATORY NO. 200.2:**

21 Do you contend that the EMPLOYMENT relationship was not "at will." If so, (a) state
22 the facts upon which you base this contention; (b) state the name, ADDRESS, and telephone
23 number of each PERSON who has knowledge of those facts; and (c) identify all DOCUMENTS
24 that support your contention.

25 **RESPONSE NO. 200.2:**

26 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
27 responds as follows: Yes. (a) I believe that there may be some kind of employment contract, but
28 I am unaware of the contents of it. (b) Roya Saghafi, 17738 Collins Street, Encino, CA 90034,
(310) 230-6623; Palisades Charter High School, 15777 Bowdoin, Pacific Palisades, CA 90272;
(c) I am unaware of any documents in my custody and control that are responsive to this
interrogatory at this time. Investigation and discovery continue.

1 **INTERROGAOTRY NO. 200.3:**

2 Do you contend that the EMPLOYMENT relationship was governed by any agreement—
3 written, oral, or implied? If so, (a) state the facts upon which you base this contention; (b) state
4 the name, ADDRESS, and telephone number of each PERSON who has knowledge of those
5 facts; and (c) identify all DOCUMENTS that support your contention.

6 **RESPONSE NO. 200.3:**

7 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
8 responds as follows: I believe that there may be an agreement, but I am not aware of the content
9 of such agreement, if any. Investigation and discovery continue.

10 **INTERROGAOTRY NO. 200.4:**

11 Was any part of the parties' EMPLOYMENT relationship governed in whole or in part by
12 an written rules, guidelines, policies, or procedures established by the EMPLOYER? If so, for
13 each DOCUMENT containing the written rules, guidelines, policies, or procedures: (a) state the
14 date and title of the DOCUMENT and a general description of its contents; (b) state the manner in
15 which the DOCUMENT was communicated to employees; and (c) state the manner, if any, in
16 which employees acknowledged either receipt of the DOCUMENT or knowledge of its contents.

17 **RESPONSE NO. 200.4:**

18 (a) Through (f) Subject to and without waiving the foregoing recurring and specific
19 objections, Plaintiff responds as follows: I recall that there were policies and hand-outs. I also
20 received some emails that related to the school's responses to incidents involving racism,
21 bullying, and harassment at the school, and particularly following the arrest of some students at
22 the school in 2016 for graffiti that involved references to the Ku Klux Klan, African-Americans,
23 and LGBT people, and in June of 2017, after the news reported that an African-American female
24 student had been pictured on social media with a noose around her neck. I am informed and
25 believe that there was and is a discrimination, harassment, bullying, and retaliation problem at Pali
26 High with regard to both students and the adverse manner in which I was and am being treated
27 and that the school did not take adequate actions in response to such problems. Furthermore,
28 discipline concerning these matters was selectively enforced. As far as dates, manner of receipt
are concerned, and the manner by which employees acknowledged the receipt of such documents,
I do not know the answer. Investigation and discovery continue.

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1 **INTERROGAOTRY NO. 200.5:**

2 Was any part of the parties' EMPLOYMENT relationship covered by one or more
3 collective bargaining agreements or memorandums of understanding between the EMPLOYER
4 (or an association of employers) and a labor union or employee association? If so, for each
5 collective bargaining agreement or memorandum of understanding, state: (a) the names and
6 ADDRESSES of the parties to the collective bargaining agreement or memorandum of
7 understanding; (b) the beginning and ending dates, if applicable, of the collective bargaining
8 agreement or memorandum of understanding; and (c) which part of the collective bargaining
9 agreement or memorandum of understanding, if any, govern (1) any dispute or claim referred to
10 in the PLEADINGS and (2) the rules or procedures for resolving any dispute or claim referred to
11 in the PLEADINGS.

12 **RESPONSE NO. 200.5:**

13 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
14 responds as follows: I don't know. Investigation and discovery continue.

15 **INTERROGAOTRY NO. 200.6:**

16 Do you contend that the EMPLOYMENT and the EMPLOYER were in a business
17 relationship other than an EMPLOYMENT relationship? If so, for each relationship: (a) state the
18 name of the parties to the relationship; (b) identify the relationship; and (c) state all facts upon
19 which you base your contention that the parties were in a relationship other than an
20 EMPLOYMENT relationship.

21 **RESPONSE NO. 200.6:**

22 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
23 responds as follows: No. Investigation and discovery continue.

24 **INTERROGATORY NO. 202.1:**

25 Do you contend that any ADVERSE EMPLOYMENT ACTIONS against you were
26 discriminatory? If so, (a) identify each ADVERSE EMPLOYMENT ACTION that involved
27 unlawful discrimination; (b) identify each characteristic (for example, gender, race, age, etc.) on
28 which you base your claim or claims of discrimination; (c) state all facts upon which you base
each claim of discrimination; (d) state the name, ADDRESS, and telephone number of each
PERSON with knowledge of those facts; and (e) identify all DOCUMENTS evidencing those
facts.

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**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
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1 **RESPONSE NO. 202.1:**

2 (b) Through (f) Subject to and without waiving the foregoing recurring and specific
3 objections, Plaintiff responds as follows: Yes. (a) At the end of the business day, on the Friday
4 before the Labor Day weekend in 2002, I was given the key to the classroom where I was
5 scheduled to teach for the first time. Upon entering the classroom, I was surprised to see that it
6 appeared that several dumpsters had been emptied into the classroom and that the floor, desks,
7 chairs, and counters were covered with trash and dirt. I attempted to contact the school's officials
8 upon seeing the condition of the classroom, but received no response. On repeated occasions,
9 members of the faculty and administration communicated that I did not fit in because I was
10 Iranian and Muslim. Although termination notices at Pali High are usually issued before March
11 15th, three weeks before the end of the 2003/2004 academic year, Mr. Cooper and I were both
12 issued notices of termination on the grounds of not having "cleared your credentials." Both of us
13 were told that, if we were able to clear our credentials within three weeks, which normally would
14 not have been possible, we would be given "the opportunity to interview for their jobs with a
15 panel." Teachers in a similar position were not subjected to the requirements placed on Mr.
16 Cooper and myself. Unlike other teachers at Pali High, I was not provided with a cabinet or
17 drawer in which to place student work or my own class plans. Unlike other teachers, I was not
18 allowed to sit and eat my lunch in the class rooms where I taught. Following an injury to my
19 knee, Pali High scheduled meetings at a location where I was unable to attend. Despite my
20 request, Pali High made no attempt to move the location of the meetings. While teachers were
21 normally assigned permanent classrooms based on seniority, I was not assigned a permanent
22 classroom. Teachers with less experience than I, were assigned permanent classrooms. After
23 communicating that I preferred teaching Chemistry or Physics, I was demoted to teaching
24 Integrated Science. Despite my seniority, I was repeatedly denied an auxiliary class, despite
25 requesting one. Eventually, when I was given a permanent classroom, I was given Room F203,
26 which accommodated only around 18 students, even though I was assigned between about 30 and
27 36 students. I remained in Room F203 for a number of years, despite repeatedly requesting a
28 bigger classroom, and even though teachers with less seniority were assigned better classrooms.
Unlike other teachers, I was required to undergo yearly evaluations during which other teachers
and aids were sent to watch me teach. Ms. Atlas, the Assistant Principle in charge of Science,
told me that her sister believed that all Iranians should be bombed and killed. On Friday,
November 7, 2014, I was teaching a class when I heard a click of a camera. I looked up and saw

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
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1 two girls with cameras facing in my direction. I phoned the Dean's office. When Mr. Buckman
2 arrived, the photography students were outside of the door of the classroom, with their cell
3 phones pointed at me. I asked the students to put their phones away. My class was in session.

4 While I was holding the straps of the two cameras, Mr. Steil, the photography teacher,
5 whom I had not met, and who is much taller than me, abruptly entered my classroom without
6 identifying himself. Mr. Steil forcefully grabbed my upper arms so hard that I feared for my
7 safety.

8 Frightened, I said, "Who are you?"

9 Mr. Steil yelled, "What are you going to do about it? Refer me to the dean?!"

10 He then laughed. Mr. Steil then very forcefully pressed on my wrists and pried open my
11 hands and fingers against my will to obtain the cameras. I shook and cried following the incident.

12 Instead of responding to this incident in a reasonable manner and disciplining Mr. Steil,
13 the school did virtually nothing. I am informed and believe that Mr. Steil was provided with
14 preferential treatment because he is white and is a local resident.

15 On repeated occasions, I communicated concern about bullying, harassment, and
16 discrimination at Pali High and recommended that a committee of parents, students, and faculty
17 be formed to address these problems. In 2016, some students were arrested for graffiti that
18 referred to the Ku Klux Klan, African-Americans, and LGBT people. In the spring of 2017, and
19 image of an African-American female student with a noose around her neck was circulated
20 around social media. This incident was reported on the local and national news media.

21 Pali High and Dr. Magee tried to hide the problem of harassment, bullying, and
22 discrimination at the school and communicated that these issues were not a problem and that there
23 was no discrimination and racism at the school, which was not true. Dr. Magee stated in 2017
24 that the noose incident was an isolated occurrence and the school had no problems with racism or
25 discrimination.

26 Following the news coverage about the noose incident, an open meeting was held in the
27 cafeteria. On June 21, 2017, Dr. Magee emailed the school's faculty and invited faculty members
28 to "share relevant experiences and provide input" and that all responses were to remain
confidential. Another similar email was sent out by Giovanni Stewart that invited input about "our
recent HATE incident." That email invited people to anonymously share what we had observed
with regard to hate and discrimination. It stated "I can only imagine some of the hurt and

1 frustration that has been built up for some time that people need to release to move forward.”

2 I responded to that email and wrote about my experiences at Pali High with regard to
3 discrimination and hate. I recommended that an independent, outside consultant be brought in to
4 address these matters. At no time in my email, or in any other communication, did I ever
5 communicate that I was a harm to myself or others.

6 After I sent my email in response to Dr. Magee’s and Geovani Stewart’s emails dated
7 June 21, 2017, Amy Nguyen made a false report to the LAPD and told them I was a danger to
8 myself or others. As a result of her false report, the police came to my home.

9 I regard Amy Nguyen’s false statements to the police as being motivated by revenge and
10 retaliation for standing up to the racism, bullying, and general discrimination at Pali High.

11 The school has since taken steps to make my work environment so stressful so as to force
12 me to quit, or to create false causes to justify my termination. This includes, but is not limited to,
13 subjecting me to excessing and unreasonable scrutiny (such as having people come into my class
14 and monitoring me when I teach), putting me on involuntary leave, requesting I be subjected to a
15 “fitness for duty” evaluation, taking classes away from me, actively encouraging people to make
16 complaints about me, giving me a classroom on the second floor while knowing that the elevator
17 often breaks and does not work which results in the requirement that I have to repeatedly go up
18 and down the stairs while carrying thing I need to do my job, subjecting me to unfair threats of
19 discipline (such as for going to my car, among other things), and subjecting me to an
20 unreasonable and unfavorable work schedule.

21 Palisades Charter High School, 15777 Bowdoin, Pacific Palisades, CA 90273. I exercise
22 my rights under CCP § 2030.210(a)(2) and am producing all responsible documents under my
23 custody and control along with my Responses to the Request for Production of Documents, Set 1,
24 of Amy Nguyen. Investigation and discovery continue.

25 **INTERROGATORY NO. 202.2:**

26 State all facts upon which you base your contention that you were qualified to perform
27 any job which you contend was denied to you on account of unlawful discrimination.

28 **RESPONSE NO. 202.2:**

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: I am an excellent science teacher. I have performed my job for many years
and have all of the degrees and certifications that are required for my job. I never received any
kind of disciplinary action or write-up at Pali High until after I started complaining about

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1 bullying, discrimination, harassment, and retaliation at the school. I have received praise from
2 parents and students for being an excellent teacher. Investigation and discovery continue.

3 **INTERROGATORY NO. 203.1:**

4 Do you contend that you were unlawfully harassed in your employment? If so: (a) state
5 the name, ADDRESS, telephone number, and employment position of each PERSON whom you
6 contend harassed you; (b) for each PERSON whom you contend harassed you, describe the
7 harassment; (c) identify each characteristic (for example, gender, race, age, etc.) on which you
8 base your claim of harassment; (d) state all facts upon which you base your contention that you
9 were unlawfully harassed; (e) state the name, ADDRESS, and telephone number of each
10 PERSON with knowledge of those facts; and (f) identify all DOCUMENTS evidencing those
11 facts.

12 **RESPONSE NO. 203.1:**

13 (c) Through (f) Subject to and without waiving the foregoing recurring and specific
14 objections, Plaintiff responds as follows: Yes.

15 Dr. Magee stated that if I wanted a classroom with a sink I would need a doctor's note
16 stating that I need a classroom with a sink because I had Obsessive Compulsive Disorder
17 ("OCD"). Ms. Atlas, the Assistant Principle, told me that her sister believed that all Iranians
18 should be bombed and killed.

19 In or about the spring of 2014, my photo was placed on social media along with comments
20 that I was a "prostitute," "nigger," "alien," and that I should go back to Iran. When I
21 communicated with colleagues that I suspected that people from the photography class were
22 behind the offensive posts, and was upset about them, I was advised to not make a "big deal"
23 about it.

24 In 2014, Mr. Steil, the photography teacher, forcefully grabbed my upper arms so hard
25 that I feared for my safety. After I asked Human Resource and Jeff Hartman if I needed to do
26 anything concerning my credentials or qualifications, they ignored my questions and
27 communicated that everything was okay. Later, Ms. Nguyen, without any prior warning, told me
28 that, unless I immediately submitted additional credentials, she intended to take my classes away.
Ms. Nguyen communicated that she was aware that there were "obstacles," but that she did not
care and planned to take the classes away, regardless. Ms. Nguyen intentionally humiliated me
when she entered my classroom and I taught. I do not know the addresses of these people at this
time.

1 In 2017, after I complained in an email about the ongoing problems with harassment and
2 discrimination at Pali High, about my personal experiences, and recommended that an outside
3 consultant be brought in to address these problems, Amy Nguyen made a false allegation to the
4 LAPD that I was a danger to myself and others. This resulted in the LAPD coming to my home,
5 which was humiliating and frightening.

6 Later, I was subjected to undue scrutiny and unfair reprimands (such as for going to my
7 car, or for being late to a meeting, when I was early to the meeting). My job was advertised on
8 the internet as being available. I was told that the only way to save my job was to go to a doctor
9 and get the doctor to state that I could not do my job because of a disability (which was not true).
10 Pali High communicated that I would be required to undergo a Fitness for Duty Exam. Pali High
11 informed me that they were placing me on involuntary leave on December 21, 2018, which was
12 the day after I submitted my Complaint of Discrimination to California's Department of Fair
13 Employment and Housing ("DFEH").

14 Pali High and Amy Nguyen communicated to others, including Alison Dobner, that I was
15 a danger to myself and others and that I had communicated that I wanted to kill myself, which
16 was not true.

17 After I was eventually allowed to return to teaching in the fall of 2018, I was given a
18 schedule that required me to travel from classroom to classroom and which required me to teach
19 in rooms that did not have adequate facilities for which I could conduct labs. Pali High's
20 administration also communicated that, for my labs, I would be required to transport the
21 chemicals myself, which was dangerous, and which caused a risk for further injury of harm
22 stemming from a prior accident. I continue to be subjected to unfair scrutiny.

23 A formerly spacious classroom on the first floor was changed to a small class room on the
24 2nd floor, even though it was generally known that the elevator would often break and I would be
25 forced to carry things I needed to do my job up and down the stairs.

26 (c) I was subjected to discrimination and harassment for my National Origin (Iranian),
27 perceived religion (Muslim), for filing a Worker's Compensation claim, for my mobility, for
28 allegedly having OCD, and for speaking out against the bullying, harassment, and discrimination
at Pali High. I was also told that I should retire, which I regard as discrimination based on my
age.

(d) Dr. Magee stated that, if I wanted a classroom with a sink, which I needed to perform
Chemistry labs, I would need a doctor's note stating that I needed a classroom with a sink

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ONE OF AMY NGUYEN**

1 because I had Obsessive Compulsive Disorder. I was referred to as "Howard Hughes." Ms.
2 Atlas, the Assistant Principle, told me that her sister believed that all Iranians should be bombed
3 and killed.

4 In or about the spring of 2014, my photo was placed on social media along with comments
5 that I was a "prostitute," "nigger," "alien," and that I should go back to Iran. When I
6 communicated with colleagues that I suspected that people from the photography class were
7 behind the offensive posts, and was upset about them, I was advised to not make a "big deal"
8 about it.

9 Mr. Steil, the photography teacher, came into my classroom when I was teaching and
10 forcefully grabbed my upper arms so hard that I feared for my safety. Then he pried open my
11 hands. I reported this incident to the school and provided the school with pictures of the bruises
12 on my arms after I was assaulted by the photography teacher. Regardless of this, after observing
13 that no corrective action or discipline was provided to Mr. Steil, I contacted the police on or about
14 December 1st.

15 On December 1, 2014, Chris Lee (who is not Iranian) announced over the school intercom
16 that the Iranian Club was scheduled to meet the next day in my classroom. Chris Lee stated, "It
17 will be DIVOONEH there tomorrow." The word "Divooneh" is a word in the Farsi language
18 which refers to a seriously mentally ill person who should be institutionalized. Due to the manner
19 in which the announcement was made, I observed that it was intended as a threat, because Chris
20 Lee was saying I was mentally ill, which I am not.

21 I asked the Human Resource department and Jeff Hartman if I needed to do anything
22 concerning my credentials or qualifications and they did not communicate that any action was
23 needed by me and that everything was in order. Later, Ms. Nguyen, without any prior warning,
24 told me that, unless I immediately submitted additional credentials, she intended to take my
25 classes away. I complained that this was unfair and not reasonable. Ms. Nguyen replied that she
26 was aware that there were "obstacles," but that she did not care and planned to take the classes
27 away. Ms. Nguyen also intentionally humiliated me when she entered my classroom while I
28 taught.

On repeated occasions, I communicated concern about bullying, harassment, and
discrimination at Pali High and recommended that a committee of parents, students, and faculty
be formed to address these problems. In 2016, some students were arrested for graffiti that
referred to the Ku Klux Klan, African-Americans, and LGBT people. In the spring of 2017, and

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1 image of an African-American female student with a noose around her neck was circulated
2 around social media. This incident was reported on the local and national news media.

3 Pali High and Dr. Magee tried to hide the problem of harassment, bullying, and
4 discrimination at the school and communicated that these issues were not a problem and that there
5 was no discrimination and racism at the school, which was not true. Dr. Magee stated in 2017
6 that the noose incident was an isolated occurrence and the school had no problems with racism or
discrimination.

7 Following the news coverage about the noose incident, an open meeting was held in the
8 cafeteria. On June 21, 2017, Dr. Magee emailed the school's faculty and invited faculty members
9 to "share relevant experiences and provide input" and that all responses were to remain
10 confidential.

11 I responded to that email and wrote about my experiences at Pali High with regard to
12 discrimination and hate. I recommended that an independent, outside consultant be brought in to
address these matters.

13 After I sent my email in response to Dr. Magee's email dated June 21, 2017, Amy Nguyen
14 made a false report to the LAPD that I was a danger to myself or others, which resulted in the
15 police coming to my home shortly after my email. I regard such action by Amy Nguyen and Pali
16 High as being motivated by retaliation for my standing up to the racism, bullying, and general
17 discrimination at Pali High. The school has since taken steps to make my work environment so
18 stressful so as to communicate by such actions that the school desires me to quit by job, or
19 alternatively intends to create false causes to justify my termination. This includes, but is not
20 limited to, subjecting me to excessing and unreasonable scrutiny (such as having people come
21 into my class and monitoring me when I teach), putting me on involuntary leave, requesting I be
22 subjected to a "fitness for duty" evaluation, taking classes away from me, actively encouraging
23 people to make complaints about me, subjecting me to unfair threats of discipline (such as for
going to my car, among other things, and subjecting me to an unreasonable and unfavorable work
schedule.

24 (e) Palisades Charter High School, 15777 Bowdoin, Pacific Palisades, A 90272. I do not
25 have addresses for the other individuals.

26 (f) I exercise my rights under CCP § 2030.210(a)(2) and am producing all responsive
27 documents under my custody and control along with my Responses to the Request for Production
28 of Documents, Set 1, of Amy Nguyen. Investigation and discovery continue.

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1 **INTERROGATORY NO. 204.1:**

2 Name and describe each disability alleged in the PLEADINGS:

3 **RESPONSE NO. 204.1:**

4 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
5 responds as follows: I do not consider myself as disabled. I, however, made a Workers
6 Compensation claim and therefore I am regarded as disabled according to the definitions of the
7 FEHA (i.e., "perceived as" one with a disability). Also, I note that I requested the reasonable
8 accommodation of a closer parking space and of not having to have to attend meetings on the
9 second floor due to an injury which impacted my mobility. was Investigation and discovery
continue.

10 **INTERROGATORY NO. 204.2:**

11 Does the EMPLOYEE allege any injury or illness that arose out of or in the course of
12 EMPLOYMENT? If so, state: (a) the nature of such injury or illness; (b) how such injury or
13 illness occurred; (c) the date on which such injury occurred; (d) whether EMPLOYEE has filed a
14 workers' compensation claim. If so, state the date and outcome of the claim and (e) whether
15 EMPLOYEE has filed or applied for disability benefits of any type. If so, state the date, identity
the nature of the benefits applied for, and the outcome of any such application.

16 **RESPONSE NO. 204.2:**

17 (a) through (e): Subject to and without waiving the foregoing recurring and specific
18 objections, Plaintiff responds as follows: (a) My nerves on both hands, neck, bruises on both
19 arms, fear, embarrassment, and anxiety; (b) Mr. Steil, the photography teacher, whom I had not
20 previously met, and who is much taller than me, abruptly entered my classroom without
21 identifying himself and forcefully grabbed my upper arms so hard that I feared for my safety; (c)
22 November 7, 2014; (d) Yes, a workers' comp claim was filed and it settled on March 13, 2017;
(e) I have not applied for any other benefits. Investigation and discovery continue.

23 **INTERROGATORY NO. 204.3:**

24 Were there any communications between the EMPLOYEE (or the EMPLOYEE'S
25 HEALTH CARE PROVIDER) and the EMPLOYER about the type or extent of any disability of
26 EMPLOYEE. If so: (a) state the name, ADDRESS, and telephone number of each person who
27 made or received the communications; (b) state the name, ADDRESS, and telephone number of
28 each person who witnessed the communications; (c) describe the date and substance of the
communications; and (d) identify each DOCUMENT that refers to the communications.

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1 **RESPONSE NO. 204.3:**

2 (a) through (d): Subject to and without waiving the foregoing recurring and specific
3 objections, Plaintiff responds as follows: Yes. (a) Palisades Charter High School; Ms. Nguyen;
4 others whose names are unknown to me at this time. (b) Ms. Nguyen, Dr. Magee; others whose
5 names are unknown to me at this time. (c) I communicated that I was in a car accident in 2016,
6 and had been injured. I provided doctor notes pertaining to my car accident in July of 2016. I do
7 not recall dates at this time. The parent in charge of the school board at the time deflected my
8 communications and told me to talk to the principal; (d) I do not know the dates of the documents
9 or other information about the documents I provided, which should be in the custody of the
10 school. Investigation and discovery continue.

11 **INTERROGATORY NO. 204.4:**

12 Did the EMPLOYER have any information about the type, existence, or extent of any
13 disability of EMPLOYEE other than from communications with the EMPLOYEE or the
14 EMPLOYEE'S HEALTH CARE PROVIDER? If so, state the sources and substance of the
15 information and the name, ADDRESS, and telephone number of each PERSON who provided or
16 received the information.

17 **RESPONSE NO. 204.4:**

18 Subject to and without waiving the foregoing recurring and specific
19 objections, Plaintiff responds as follows: Yes. I am informed and believe that the school
20 received information relating to my Workers Compensation claim. That is all of the information I
21 can provide at this time. Investigation and discover continue.

22 **INTERROGATORY NO. 204.5:**

23 Did the EMPLOYEE need any accommodation to perform any function of the
24 EMPLOYEE'S job position or need a transfer to another position as an accommodation? If so,
25 describe the accommodations needed.

26 **RESPONSE NO. 204.5:**

27 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
28 responds as follows: Yes. I communicated to Pali High that, because of my knee injury, I would
need special accommodations so that I would not be required to climb stairs when attending
meetings. Instead, despite knowing this, Pali High held meetings upstairs. As a result of my car
accident, I requested parking space accommodations and they were denied. As a result of the
denial of these accommodations, I was placed in fear of being reprimanded for arriving late.

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1 Investigation and discovery continue.

2 **INTERROGATORY NO. 204.6:**

3 Were there any communications between the EMPLOYEE (or the EMPLOYEE'S
4 HEALTH CARE PROVIDER) and the EMPLOYER about any possible accommodation of
5 EMPLOYEE? If so, for each communication: (a) state the name, ADDRESS, and telephone
6 number of each PERSON who made or received the communication; (b) state the name,
7 ADDRESS, and telephone number of each PERSON who witnessed the communication; (c)
8 describe the date and substance of the communication; and (d) identify each DOCUMENT that
9 refers to the communication.

9 **RESPONSE NO. 204.6:**

10 (b) through (d): Subject to and without waiving the foregoing recurring and specific
11 objections, Plaintiff responds as follows: Yes. (a) Palisades Charter High School, 15777
12 Bowdoin Street, Pacific Palisades, CA 90272; Amy Nguyen, 15777 Bowdoin Street, Pacific
13 Palisades, CA 90272; (b) Amy Nguyen, 15777 Bowdoin Street, Pacific Palisades, CA 90272; (c)
14 I do not remember the dates; (d) Doctor notes were provided to Pali High and should be in
15 possession of the school. Investigation and discovery continue.

15 **INTERROGATORY NO. 204.7:**

16 What did the EMPLOYER consider doing to accommodate the EMPLOYEE? For each
17 accommodation considered: (a) describe the accommodation considered; (b) state whether the
18 accommodation was offered to the EMPLOYEE; (c) state the EMPLOYEE'S response; or (d) if
19 the accommodation was not offered, state all the reasons why this decision was made; (e) state the
20 name, ADDRESS, and telephone number of each PERSON who on behalf of the EMPLOYER
21 made any decision about what accommodations, if any, to make for the EMPLOYEE; and (f)
22 state the name, ADDRESS, and telephone number of each PERSON who on behalf of the
23 EMPLOYER made or received any communications about what accommodations, if any, to make
24 for the EMPLOYEE.

24 **RESPONSE NO. 204.7:**

25 (a) through (f): Subject to and without waiving the foregoing recurring and specific
26 objections, Plaintiff responds as follows: (a) I do not know what was considered because I am not
27 the employer. (b) I was eventually provided with a key for the elevator that hardly ever worked
28 and is located all the way across the campus and the use of which required that I walk a long
distance on my injured knee. I requested a parking space accommodation but my request was

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1 denied; (c) With the exception of being given a key to the elevator that rarely worked, my
2 requests for accommodations were ignored. (d) I do not know why my request was not granted
3 because I am not the employer. (e) Amy Nguyen, 15777 Bowdoin Street, Pacific Palisades, CA
4 90272; (f) Amy Nguyen, 15777 Bowdoin Street, Pacific Palisades, CA 90272.

5 Investigation and discovery continue.

6 **INTERROGATORY NO. 205.1:**

7 Do you contend that the EMPLOYER took any ADVERSE EMPLOYMENT ACTION
8 against you in violation of public policy? If so: (a) identify the constitutional provision, statute,
9 regulation, or other source of the public policy that you contend was violated; and (b) state all
10 facts upon which you contend that the EMPLOYER violated public policy?

11 **RESPONSE NO. 205.1:**

12 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
13 responds as follows: Yes. The FEHA, the California Labor Code, the California Constitution
14 and other policies of California. Also, please see my response to Interrogatory 202.1.

15 Investigation and discovery continue.

16 **INTERROGATORY NO. 206.1:**

17 Did the EMPLOYER'S agents or employees PUBLISH any of the allegedly defamatory
18 statements identified in the PLEADINGS? If so, for each statement: (a) identify the PUBLISHED
19 statement; (b) state the name, ADDRESS, telephone number, and job title of each person who
20 PUBLISHED the statement; (c) state the name, ADDRESS, and telephone number of each person
21 to whom the statements was PUBLISHED; (d) state whether, at the time of the statement was
22 PUBLISHED, the PERSON who PUBLISHED the statement believed it to be true; and (e) state
23 all facts upon which the PERSON who published the statement based the belief that it was true.

24 **RESPONSE NO. 206.1:**

25 (a) – (e) Subject to and without waiving the foregoing recurring and specific objections,
26 Plaintiff responds as follows: On June 23, 2018, Officer Acurin and Officer Costales of the Los
27 Angeles Police Department ("LAPD") came to my home and told me that Amy Nguyen had
28 called the LAPD to report that I was a danger to myself and others. The police officers stated that
Amy Nguyen had communicated to the police that I intended to kill myself or others, which is not
true.

Later, after I was involuntarily suspended from my job, Alison Dobner contacted me and
communicated that I was going to be subjected to a fitness evaluation because the school

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1 communicated to her that I had said "I don't want to live" and was a danger to myself and others.
2 This was not true and Amy Nguyen knew it was not true.

3 Alison Dobner, c/o Shaw Consulting, 107 N. Reino Rd. #414, Newbury Park, CA. 91320;
4 Amy Nguyen, 15777 Bowdoin Street, Pacific Palisades, CA 90272; Officer Acurin and Officer
5 Costales, 19020 Vanowen, Reseda, CA. 1-818-374-7611.

6 I do not know. Investigation and discovery continue.

7 **INTERROGATORY NO. 206.2:**

8 State the name and ADDRESS of each agent or employee of the EMPLOYER who
9 responded to any inquiries regarding the EMPLOYEE after the EMPLOYEE'S TERMINATION.

10 **RESPONSE NO. 206.2:**

11 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
12 responds as follows: I have not been terminated. Investigation and discovery continue.

13 **INTERROGATORY NO. 206.3:**

14 State the name and ADDRESS of the recipient and the substance of each post-
15 TERMINATION statement PUBLISHED about EMPLOYEE by any agent or employee of
16 EMPLOYER.

17 **RESPONSE NO. 206.3:**

18 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
19 responds as follows: I have not been terminated. Investigation and discovery continue.

20 **INTERROGATORY NO. 207.1:**

21 Were there any internal written policies or regulations of the EMPLOYER that apply to
22 the making of a complaint of the type that is the subject matter of this lawsuit? If so: (a) state the
23 title and date of each DOCUMENTS containing the policies or regulations and a general
24 description of the DOCUMENT'S contents; (b) state the manner in which the DOCUMENT was
25 communicated to EMPLOYEES; (c) state the manner, if any, in which EMPLOYEES
26 acknowledge receipt of the DOCUMENT or knowledge of its contents, or both; (d) state, if you
27 content that the EMPLOYEE failed to use any available internal complaint procedures, all facts
28 that support that contention; and (e) state, if you contend that the EMPLOYEE'S failure to use
internal complaint procedures was excused, all facts why the EMPLOYEE'S use of the
procedures was excused.

RESPONSE NO. 207.1:

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff

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1 responds as follows: I do not know the specific internal policies and cannot answer this question
2 because I am not the employer. Investigation and discovery continue.

3 **INTERROGATORY NO. 207.2:**

4 Did the EMPLOYEE complain to the EMPLOYER about any of the unlawful conduct
5 alleged in the PLEADINGS? If so, for each complaint: (a) state the date of the complaint; (b)
6 state the nature of the complaint; (c) state the name and ADDRESS of each PERSON to whom
7 the complaint was made; (d) state the name, ADDRESS, telephone number, and job title of each
8 PERSON who investigated the complaint; (d) state the name, ADDRESS, telephone number and
9 job title of each PERSON who participated in making the decision about how to conduct the
10 investigation; (f) state the name, ADDRESS, telephone number, and job title of each PERSON
11 who was interviewed or who provided an oral or written statement as part of the investigation of
12 the complaint; (g) state the nature and date of any action taken in response to the complaint; (g)
13 state the nature and date of any action taken in response to the complaint: (h) state whether the
14 EMPLOYEE who made the complaint was made aware of the actions taken by the EMPLOYER
15 in response to the complaint, and, if so, state how and when; (i) identify all DOCUMENTS
16 relating to the complaint, the investigation, and any action taken in response to the complaint; and
17 (j) state the name, ADDRESS, and telephone number of each PERSON who has knowledge of
18 the EMPLOYEE'S complaint and the EMPLOYER'S response to the complaint.

17 **RESPONSE NO. 207.2:**

18 (a) through (j): Subject to and without waiving the foregoing recurring and specific
19 objections, Plaintiff responds as follows: Yes. I complained too many times to be able to
20 remember or list all instances. My complaints included, but were not limited to: (1) at a date I do
21 not remember, I complained that images of myself were being placed on social media and that I
22 was called names such as "prostitute," "nigger," "alien," and that I should go back to Iran. I also
23 informed the school that I attributed these incidents to the photography class at Pali High; (2) On
24 November 7, 2014, I complained after I was assaulted by the school's photography teacher in my
25 classroom, and while I was my conducting class; (3) In December of 2014, I complained to the
26 school's administration that, because the school had not taken any reasonable action in response
27 to my complaint, I had reported the incident with the photography teacher to Los Angeles School
28 Police ("LASD"); (6) In 2016, I complained about bullying, discrimination, and incidents of hate
at the school and requested that a committee be set up for parents, students, and faculty. The
school communicated that there was no problem with these issues at the school and that there was

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1 no need for such a committee. That same year, in 2016, students were arrested for graffiti that
2 involved statements concerning the Ku Klux Klan, African-Americans, and LGBT people; (7) In
3 June of 2017, after an African-American female student who attended Pali High was depicted on
4 social media with a noose around her neck, the school communicated that there was no problem
5 with racism at the school. In response, I communicated to the school that there was an ongoing
6 problem with racism, discrimination, and harassment at the school and that I had been a victim of
7 such discrimination and harassment; (8) On August 20, 2017, I complained after I was denied an
8 extra class; (9). On December 14, 2017, I complained to Delia Morales that I was being subjected
9 to unequal treatment; (10) On December 20, 2017, I filed a complaint with the Department of Fair
10 Housing and Employment ("DFEH"). I also complained that I was being subjected to unfair
11 scrutiny and unfair work assignments on multiple occasions and during multiple communications
12 in 2018.

13 I exercise my rights under CCP § 2030.210(a)(2) and am producing all responsible
14 documents under my custody and control along with my Responses to the Request for Production
15 of Documents, Set 1, of Amy Nguyen.

16 Alison Dobner, c/o Shaw Consulting, 107 N. Reino Rd. #414, Newbury Park, CA. 91320;
17 Amy Nguyen, 15777 Bowdoin Street, Pacific Palisades, CA 90272; Officer Acurin and Officer
18 Costales, 19020 Vanowen, Reseda, CA. 1-818-374-7611.

19 Investigation and discovery continue.

20 **INTERROGATORY NO. 208.1:**

21 Did the EMPLOYEE file a claim, complaint, or charge with any governmental agency
22 that involved any of the material allegations made in the PLEADINGS? If so, for each claim
23 ,complaint, or charge: (a) state the date on which it was filed; (b) state the name and ADDRESS if
24 the agency with which it was filed; (c) state the number assigned to the claim, complaint, or
25 charge by the agency; (d) state the nature of each claim, complaint, or charge made; (e) state the
26 date on which the EMPLOYER was notified of the claim, complaint, or charge; (f) state the
27 name, ADDRESS, and telephone number of all PERSONS within the governmental agency with
28 whom the EMPLOYER has had any contact or communication regarding the claim, complaint, or
charge; (g) state whether a right to sue notice was issued and, if so, when; and (h) state whether
any findings or conclusions regarding the complaint or charge have been made, and, if so, the
date and description of the agency's findings or conclusions.

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1 **RESPONSE NO. 208.1:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: Yes. Complaints were made to the DFEH and a Right to sue was issued
4 prior to the filing of the operative lawsuit complaint in this action. I exercise my rights under
5 CCP § 2030.210(a)(2) and am producing all responsible documents under my custody and control
6 along with my Responses to the Request for Production of Documents, Set 1, of Amy Nguyen.
7 Applicable documents are being provided along with my responses to the defendant's request for
production. Investigation and discovery continue.

8 **INTERROGATORY NO. 209.1:**

9 Except for this action, in the past 10 years has the EMPLOYEE filed a civil action against
10 any employer regarding the EMPLOYEE'S employment? If so, for each civil action: (a) state the
11 name, ADDRESS, and telephone number of each employer against who the action was filed; (b)
12 state the court, names of the parties, and case number of the civil action; (c) state the name,
13 ADDRESS, and telephone number of any attorney representing the EMPLOYEE; and (d) state
whether the action has been resolved or is pending.

14 **RESPONSE NO. 209.1:**

15 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
16 responds as follows: No. Investigation and discovery continue.

17 **INTERROGATORY NO. 210.1:**

18 Do you attribute any loss of income, benefits, or earning capacity to any ADVERSE
19 EMPLOYMENT ACTION? (If your answer is "no," do not answer interrogatories 210.2 through
20 210.6.)

21 **RESPONSE NO. 210.1:**

22 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
23 responds as follows: I intend to use an expert to assist me with the calculations requested herein.
I have not yet retained an expert for this purpose. Investigation and discovery continue.

24 **INTERROGATORY NO. 210.2:**

25 State the total amount of income, benefits, or earning capacity you have lost to date and
26 how the amount was calculated,

27 **RESPONSE NO. 210.2:**

28 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: I intend to use an expert to assist me with the calculations requested herein.

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1 I have not yet retained an expert for this purpose. Investigation and discovery continue.

2 **INTERROGATORY NO. 210.3:**

3 Will you lose income, benefits, or earning capacity in the future as a result of any
4 ADVERSE EMPLOYMENT ACTION? If so, state the total amount of income, benefits, or
5 earning capacity you expect to lose, and how the amount was calculated.

6 **RESPONSE NO. 210.3:**

7 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
8 responds as follows: Yes. I intend to use an expert to assist me with the calculations requested
9 herein. I have not yet retained an expert for this purpose. Investigation and discovery continue.

10 **INTERROGATORY NO. 210.4:**

11 Have you attempted to minimize the amount of your lost income? If so, describe how; if
12 not, explain why not.

13 **RESPONSE NO. 210.4:**

14 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
15 responds as follows: Yes. I continue to work for Pali High and I continue to take responsibility
16 with my job duties and be the best I can be. I had to retain an attorney to assist in protecting my
17 rights. Investigation and discovery continue.

18 **INTERROGATORY NO. 210.5:**

19 Have you purchased any benefits to replace any benefits to which you would have been
20 entitled if the ADVERSE EMPLOYMENT ACTION had not occurred? If so, state the cost for
21 each benefit purchased.

22 **RESPONSE NO. 210.5:**

23 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
24 responds as follows: No. Investigation and discovery continue.

25 **INTERROGATORY NO. 210.6:**

26 Have you obtained other employment since any ADVERSE EMPLOYMENT ACTION?
27 If so, for each new employment (a) state when the new employment commenced; (b) state the
28 hourly rate or monthly salary for the new employment; and (c) state the benefits available from
the new employment.

RESPONSE NO. 210.6:

Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: No. Investigation and discovery continue.

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1 **INTERROGATORY NO. 212.1:**

2 Do you attribute any physical, mental, or emotional injuries to the ADVERSE
3 EMPLOYMENT ACTION? (If your answer is "no," do not answer interrogatories 212.2 through
4 212.7.).

5 **RESPONSE NO. 212.1:**

6 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
7 responds as follows: Yes. Investigation and discovery continue.

8 **INTERROGATORY NO. 212.2:**

9 Identify each physical, mental, or emotional injury that you attribute to the ADVERSE
10 EMPLOYMENT ACTION and the area of your body affected.

11 **RESPONSE NO. 212.2:**

12 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
13 responds as follows: Anxiety, headaches at times, shame, stress, depression, fear, stomachaches,
14 feeling worthless, humiliated, nerves on both hands, neck, and bruises on arms. Investigation and
15 discovery continue.

16 **INTERROGATORY NO. 212.3:**

17 Do you still have any complaints of physical, mental, or emotional injuries that you
18 attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each complaint state: (a) a
19 description of the injury; (b) whether the complaint is subsiding, remaining, the same, becoming
20 worse; and (c) the frequency and duration.

21 **RESPONSE NO. 212.3:**

22 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
23 responds as follows: Yes. I still experience anxiety, sadness, depression, disappointment,
24 humiliation, and embarrassment. I still worry that I will have to discuss what happened at Pali
25 High when I seek promotions in the future. Every day I have to deal with stomachaches, feeling
26 worthless, humiliation, fear, stress and depression. Shame, fear, and severe anxiety. I have to
27 limit myself on certain things because I can easily be in so much pain. Investigation and
28 discovery continue.

INTERROGATORY NO. 212.4:

 Did you receive any consultation or examination (except from expert witnesses covered
by Code of Civil Procedure section 2034) or treatment from a HEALTH CARE PROVIDER for
any injury you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for each HEALTH

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
ONE OF AMY NGUYEN**

1 CARE PROVIDER state: (a) the name, ADDRESS, and telephone number; (b) the type of
2 consultation, examination, or treatment provided; (c) the date you received consultation,
3 examination, or treatment provided; and (d) the charges to date.

4 **RESPONSE NO. 212.4:**

5 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
6 responds as follows: Yes. (a) Justin Domenick, San Fernando Valley Neurology, 318370
7 Burbank Blvd., #107, Tarzana, CA 91356; Dr. Ahaddin, M.D Neurology, 9735 Wilshire Blvd.,
8 #228, Beverly Hills, CA 91212; Jamshid Azari, M.D., Airport Urgent Care, 1117 W. Manchester
9 Blvd, Inglewood 90301; Kenneth Nazari, Neurologist, 501 E. Hardy St., #424, Inglewood, CA
10 90031; Robin Schwartz, 13400 Riverside Dr. Sherman Oaks, CA 91423, Therapist; Afshin
11 Emrani, Heart Specialist, 18730 Burbank Blvd., Suite 410, Tarzana, CA 91356, (818) 996-4100;
12 Azadeh Rahimi, Workers Compensation Therapist, 16661 Ventura Blvd, Encino, CA 91316; (b)
13 Therapist, Neurology, General medicine: b) nerves in both hands, neck, arms, anxiety; c) I do not
14 remember the dates I received consultation; d) charges up to date are unknown to me.
15 Investigation and discovery continue.

16 **INTERROGATORY 212.5:**

17 Have you taken any medication, prescribed or not, as a result of injuries that you attribute
18 to the ADVERSE EMPLOYMENT ACTION? If so, for each medication state: (a) the name of
19 the medication. : (a) the name of the medication; (b) the name, ADDRESS and telephone number
20 of the PERSON who proscribed or furnished it; (c) the date prescribed or furnished; (d) the dates
21 you began and stopped taking it; and; (e) the cost to date.

22 **RESPONSE NO. 212.5:**

23 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
24 responds as follows: Asked and answered. (Refer to From Interrogatory General 6.5.)
25 Investigation and discovery continue.

26 **INTERROGATORY NO. 212.6:**

27 Are there any other medical services not previously listed in response to interrogatory
28 212.4 (for example, ambulance, nursing, prosthetics) that you received for injuries attributed to
the ADVERSE EMPLOYMENT ACTION? If so, for each service state: (a) the nature; (b) the
date; (c) the cost; and (d) the name, ADDRESS, and telephone number of each HEALTH CARE
PROVIDER.

1 **RESPONSE NO. 212.6:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: No. Investigation and discovery continue.

4 **INTERROGATORY NO. 212.7:**

5 Has any HEALTH CARE PROVIDER advised that you may require future or additional
6 treatment for any injuries you attribute to the ADVERSE EMPLOYMENT ACTION? If so, for
7 each injury state: (a) the name and ADDRESS of each HEALTH CARE PROVIDER; (b) the
8 complaints for which the treatment was advised; and (c) the nature, duration, and estimated cost
9 of the treatment.

10 **RESPONSE NO. 212.7:**

11 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
12 responds as follows: Yes. Refer to Form Interrogatory General 6.7. Investigation and discovery
13 continue.

14 **INTERROGATORY NO. 213.1:**

15 Are there any other damages that you attribute to the ADVERSE EMPLOYMENT
16 ACTION? If so, for each item of damage state: (a) the nature; (b) the date it occurred; (c) the
17 amount; and (d) the name, ADDRESS, and telephone number of each PERSON who has
18 knowledge of the nature or amount of damage.

19 **RESPONSE NO. 213.1:**

20 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
21 responds as follows: I have suffered loss to my professional reputation due to defamation. I
22 worry that I am and will continue to be limited on doing things that I used to be able to do.
23 Investigation and discovery continue.

24 **INTERROGATORY NO. 213.2:**

25 Do any documents support the existence or amount of any item of damages claimed in
26 interrogatory 213.1? If so, identify the DOCUMENTS and state the name, ADDRESS, and
27 telephone number of the PERSON who has each document.

28 **RESPONSE NO. 213.2:**

 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
responds as follows: Yes. All my doctor reports. I exercise my rights under CCP §
2030.210(a)(2) and am producing all responsible documents under my custody and control along
with my Responses to the Request for Production of Documents, Set 1, of Amy Nguyen.

**PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET
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1 Investigation and discovery continue.

2 **INTERROGATORY NO. 214.1:**

3 At the time of the ADVERSE EMPLOYMENT ACTION, was there in effect any policy
4 of insurance through which you were or might be insured in any manner for damages, claims, or
5 actions that have arisen out of the ADVERSE EMPLOYMENT ACTION? If so, for each policy
6 state: (a) the kind of coverage; (b) the name and ADDRESS of the insurance company; (c) the
7 name, ADDRESS, and telephone number of each insured; (d) the policy number; (e) the limits of
8 coverage for each type of coverage contained in the policy; (f) whether any reservation of rights
9 or controversy or coverage dispute exists between you and the insurance company; and (g) the
10 name, ADDRESS, and telephone number of the custodian of the policy.

11 **RESPONSE NO. 214.1:**

12 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
13 responds as follows: Not that I know of. Investigation and discovery continue.

14 **INTERROGATORY 215.1:**

15 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual
16 concerning the ADVERSE EMPLOYMENT ACTION? If, so for each individual state: (a) the
17 name, ADDRESS, and telephone number of the individual interviewed; (b) the date of the
18 interview; and (c) the name, ADDRESS, and telephone number of the person who conducted the
19 interview.

20 **RESPONSE NO. 215.1:**

21 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
22 responds as follows: No. Investigation and discovery continue.

23 **INTERROGATORY NO. 215.2:**

24 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded
25 statement from any individual concerning the ADVERSE EMPLOYMENT ACTION? If so, for
26 each statement state: (a) the name, ADDRESS, and telephone number of the individual from
27 whom the statement was obtained; (b) the name, ADDRESS, and telephone number of the
28 individual who obtained the statement; (c) the date the statement was obtained; and (d) the name,
ADDRESS, and telephone number of each PERSON who has the original statement or a copy.

//

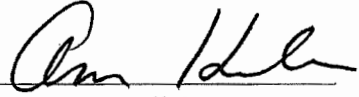
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1 **RESPONSE NO. 215.2:**

2 Subject to and without waiving the foregoing recurring and specific objections, Plaintiff
3 responds as follows: No. Investigation and discovery continue.

4
5 DATE: November 27, 2018

SIGNED: 

Ann A. Hull, Esq.
LAW OFFICES OF ANN A. HULL, INC.
Attorney for Plaintiff
ROYA SAGHAFI

PROOF OF SERVICE

I am a resident of the State of California over the age of eighteen year, and not a party to the within action. My business address is: LAW OFFICES OF ANN A. HULL, INC., 21900 Burbank Blvd., 3rd Floor, Woodland Hills, California 91356. On **November 27, 2018** I served the within documents:

PLAINTIFF'S RESPONSE TO FORM INTERROGATORIES (EMPLOYMENT), SET ONE OF AMY NGUYEN

- _____ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- _____ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at Woodland Hills, addressed as set forth below.

Theresa M. Marchlewski
Ellen E. Cohen
JACKSON LEWIS P.C.
725 South Figueroa Street, Suite 2500
Los Angeles, CA. 90017-5408
Fax: (213) 698-0430
Theresa.marchlewski@jacksonlewis.com
Ellen.cohen@jacksonlewis.com

Attorneys for Defendants

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **November 27, 2018** at Woodland Hills, California.

Karen Bonito

EXHIBIT D

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

ROYA SAGHAFI, an individual,

Plaintiff,

vs.

CASE NO. BC 708497

PALISADES CHARTER HIGH SCHOOL, a
corporation; AMY NGUYEN, an
individual; and DOES 1 through 10,

Defendants.

VIDEOTAPED DEPOSITION OF ROYA SAGHAFI

VOLUME I

April 17, 2019

10:11 a.m.

725 South Figueroa Street, 23rd Floor

Los Angeles, California

REPORTED STENOGRAPHICALLY BY:

Deborah L. Heskett

CSR No. 11797

1 APPEARANCES:

2
3 For Plaintiff:

4 LAW OFFICES OF ANN A. HULL
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11 For Defendants:

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15 Los Angeles, California 90017
16 213.689.0404
17 213.689.0430 Fax
18 ellen.cohen@jacksonlewis.com

19 Also Present:

20 JENNY SHERMAN, VIDEOGRAPHER
21
22
23
24
25

1 V-a-y-n-e-r-o-v.

2 MS. COHEN: Ellen Cohen from Jackson Lewis,
3 counsel for Palisades Charter High School and
4 individual defendant, Amy Nguyen.

5 THE VIDEOGRAPHER: Thank you.

6 Would the -- the certified court reporter
7 is Debbie Heskett.

8 Would you please swear in the witness.

9
10 ROYA SAGHAFI,
11 having been first duly sworn, was examined and
12 testified as follows:

13

14 EXAMINATION

15

16 BY MS. COHEN:

17 Q Good morning, Ms. Saghafi.

18 A Good morning.

19 MS. HULL: Can you take your jacket off?

20 THE WITNESS: Sure.

21 MS. HULL: Hand it over here.

22 BY MS. COHEN:

23 Q My name is --

24 MS. HULL: You want to hand it over?

25 THE WITNESS: That's okay. It may get

1 cold. That's okay.

2 MS. HULL: It's okay.

3 THE WITNESS: That's okay? Is it okay?

4 BY MS. COHEN:

5 Q Ms. Saghafi, my name is Ellen Cohen. I'm
6 an attorney, and I represent Palisades Charter High
7 School. From time to time I will refer to the
8 school as PCHS or just the school. You understand
9 that I'll be talking about your employer, Palisades
10 Charter High School --

11 A Yes.

12 Q -- correct?

13 A Yes.

14 Q I also represent Ms. Nguyen. Okay?

15 Could you go ahead and state and spell your
16 full name for the record?

17 A Roya Saghafi, R-o-y-a S-a-g-h-a-f-i.

18 Q Do you have a middle name?

19 A No, I don't.

20 Q Have you used any other names in the past?

21 A No.

22 Q Okay. Ms. Saghafi, the oath that you took
23 a couple seconds ago is the same oath that you would
24 take if you were testifying in a court of law.
25 Because of that, it carries the same weight and

1 BY MS. COHEN:

2 Q Okay. Ms. Saghafi, we are back on the
3 record. And before we went off record, we had been
4 talking about the lawsuit that you filed against
5 Access Specialty Animal Hospitals.

6 A Yes.

7 Q Okay. Do you --

8 A Yes.

9 Q -- feel comfortable proceeding with my line
10 of questioning to the extent that your attorney
11 permits?

12 A Yes.

13 Q Okay. Do you have a -- did you have a pet
14 named Assal?

15 A Yes.

16 Q Okay. She's a Chihuahua; correct?

17 A Yes, miniature Chihuahua.

18 Q Okay. And at some point did Assal treat
19 with Access Specialty Animal Hospitals?

20 A Yes.

21 Q Okay. When was that?

22 A I take it that you are referring to this
23 specific action date --

24 MS. HULL: Okay.

25 THE WITNESS: -- that was bought?

1 MS. HULL: Just answer the question. When
2 did -- when did you take --

3 THE WITNESS: I visited their facility a
4 number of times.

5 BY MS. COHEN:

6 Q Okay.

7 A So I don't know which one you are referring
8 to.

9 Q Okay. At some point Assal treated there
10 and you felt like she wasn't treated properly; is
11 that correct?

12 A Correct. Yes.

13 Q Okay. When was that? When did you take
14 her in?

15 A March 2017. Thank you for clarifying that.

16 Q And at that time you were working at?

17 A Palisades Charter High School.

18 Q Okay. You were working full-time; correct?

19 A Correct.

20 Q Okay. And why did you take Assal in in
21 March 2017?

22 A I wanted to do blood test.

23 Q Okay. And in this lawsuit you state that
24 she was like a surrogate daughter to you; is that
25 correct?

1 A Yes.

2 Q Okay. You loved Assal very much?

3 A Yes, I did.

4 Q Okay. How old was she at the time?

5 A Fifteen years.

6 Q Okay. And what happened when you brought
7 her in?

8 MS. HULL: You can answer. You will be
9 asked this probably again.

10 THE WITNESS: See, this is where the
11 overlap is between the other case and this case, and
12 I --

13 MS. HULL: Why don't you -- I'm going to
14 make life --

15 THE WITNESS: You are asking about what
16 they did.

17 BY MS. COHEN:

18 Q Right.

19 MS. HULL: Yes.

20 THE WITNESS: But why is that relevant to
21 this case?

22 MS. HULL: They are -- okay. We talked in
23 the other room. They are entitled to that
24 information. Just answer the -- answer it.

25 THE WITNESS: I went there and I wanted

1 blood drawn.

2 BY MS. COHEN:

3 Q Okay. And in your lawsuit you claim that
4 they didn't follow proper procedures or didn't
5 properly treat your pet; is that correct?

6 A This is --

7 MS. HULL: You're on the record, you
8 realize.

9 THE WITNESS: No, I'm not. I'm sorry.

10 THE VIDEOGRAPHER: You're fine.

11 THE WITNESS: When I discuss this with the
12 other attorney --

13 BY MS. COHEN:

14 Q I don't need to know what you talked with
15 the other attorney about. I'm going to stop you
16 right there. I don't need to know what you talked
17 to the other attorney about.

18 A You are -- your goal seems to be examining
19 this case --

20 MS. HULL: Okay.

21 THE WITNESS: -- as though you are the
22 counsel for Access.

23 MS. HULL: Roya.

24 THE WITNESS: And I cannot have that
25 deposition now. This is about --

1 have answered. But you're not Access' attorney and
2 you're not representing them, and I'm -- and I don't
3 feel okay with that line of questioning.

4 You shift your line of questioning with
5 respect to this so that it would allow you to see
6 the distress or emotional stress there versus this,
7 I would be -- I am fully answering.

8 Q Again, Ms. Saghafi, I'm entitled to explore
9 areas of other sources of emotional distress.

10 Again, I'm asking you just tell me
11 generally what happened in March of 2017 that led to
12 this lawsuit against Access?

13 A Generally; right?

14 MS. HULL: Just generally.

15 THE WITNESS: You asked for general. Very
16 general.

17 (Unreportable cross-talk)

18 THE WITNESS: I took my dog for blood test.

19 BY MS. COHEN:

20 Q Okay.

21 A Before I took her, she was walking, dancing
22 around, very difficult to pick up because she was
23 active. And due to certain things that happened and
24 misrepresentations of the credentials and the
25 qualifications of the people and other things that

1 all -- this is 800 pages. I explained everything.

2 Everything is in here. So --

3 Q And did you --

4 A My dog pass.

5 Q -- review the almost 800-page complaint

6 before it was filed?

7 A I -- the complaint itself, which is --

8 Q Again, this isn't the full.

9 A Yeah, it is not. The entire complaint,

10 yes. Exhibits, number of them, there are some

11 exhibits there that, you know -- yes. I have

12 glanced through it, but did I read every single word

13 of every single exhibits to the extent that I read

14 the complaint as thoroughly, it's a --

15 Q Okay.

16 A But yes, I have. I'm fully aware of what

17 has been filed.

18 Q Okay. And is it your testimony that the

19 allegations in this complaint are true and accurate?

20 A Yes, they are.

21 Q Okay. So you took your dog in for blood

22 test. And did -- can you generally tell me what

23 happened after that? Again, I don't need the

24 details, just generally.

25 A Well, two days and a half later -- first of

1 all, I did not even want to leave my dog there. I
2 was planning just to go in, get blood test and come
3 back. And two days and a half later, with quite a
4 bit of severe persistence, I was able to get my dog
5 back and bring her in in a state of --

6 MS. HULL: Okay?

7 THE WITNESS: -- not being able --

8 MS. HULL: Want a tissue? Grab a tissue.

9 THE WITNESS: In a vegetable state and she
10 passed.

11 BY MS. COHEN:

12 Q And I'm very sorry about what happened.

13 A Thank you. And --

14 MS. HULL: Want to take a minute?

15 THE WITNESS: No.

16 MS. HULL: It's okay? You sure?

17 THE WITNESS: Yes.

18 MS. HULL: Want some water?

19 THE WITNESS: Yes.

20 MS. HULL: Want some water?

21 THE WITNESS: No, no, I'm fine.

22 MS. HULL: Okay.

23 BY MS. COHEN:

24 Q Ms. Saghafi, on -- if you turn to page 5 of
25 Exhibit 3. Are you on page 5?

1 A Yes.

2 Q Look at line 9.

3 A Line 9?

4 Q Yeah, line 9.

5 A Page 5. Okay. This line. Okay. Yeah.

6 Q Is it true that the conduct of the
7 defendants in this action caused you to suffer from
8 severe depression?

9 A At the time, yes.

10 Q Okay. And how long did you suffer from the
11 severe depression after this incident with your pet?

12 A I think within five days that -- I know
13 that for five days I did not go to school.

14 Q Okay. And you didn't go to school because
15 of what had occurred with your dog?

16 A Yes.

17 Q Okay. On the next page, if you look at
18 paragraph 187. The next page.

19 A And the fact that I was so scared to even
20 go and be with her, I -- from school -- go ahead.
21 Go ahead. What page?

22 Q Page 22. So you want to go back.

23 A Okay.

24 Q Line 20. Are you there?

25 A Yes.

1 Q Okay. Do you see where it says Assal was
2 Plaintiff's --

3 A Yes, that is true. That is absolutely
4 true.

5 Q Would you say that losing her had a
6 profound emotional impact on you?

7 A The way that -- yes.

8 Q Okay. And do you still suffer from
9 emotional distress as a result of losing Assal?

10 A Well, I cry just right now, but I don't
11 know if it is the same level. And, I don't know,
12 maybe ten years from now still I cry when I remember
13 her name.

14 Q Okay.

15 A But -- but it is very different than the
16 emotional distress that I have experienced at Pali
17 High starting 2002 till current days.

18 Q I'm talking about March 2017.

19 A Right.

20 Q Take a look at page 57.

21 A May I ask a question? Is it possible that
22 we record this part of the conversation so that I
23 could play for Tristam back?

24 MS. HULL: All of it is being recorded.

25 THE WITNESS: I know. But -- but it would

1 THE WITNESS: I'm not there yet. 57.

2 Okay.

3 BY MS. COHEN:

4 Q Yeah.

5 A What paragraph is that?

6 Q 475?

7 A 475.

8 Q Lines 22, 23 it states that Plaintiff,

9 which is you, suffers and continues -- suffered and
10 continues to suffer from severe depression, guilt
11 and emotional distress.

12 Is that true that at least as of when this
13 complaint was filed --

14 A Yes. I felt guilty that I took her there.

15 Q No, that's not what I'm asking.

16 A Okay. Sorry.

17 Q Let me finish.

18 Is it true that at least as of the time
19 this was filed, March 2018, you suffered from severe
20 depression, guilt and emotional distress as a result
21 of Defendant's treatment of your pet?

22 A I did experience guilt and emotional
23 distress for having taken her there.

24 Q Okay. My question is a little bit more
25 specific.

1 Is it true that you continued to suffer --

2 A For those reasons. For those reasons.

3 I -- there was a reason behind the depression and
4 the guilt and the emotional distress.

5 Q Okay. Just to clarify, it's true that
6 you -- as a result of their conduct, you suffered
7 and continue to suffer from sever depression, guilt
8 and emotional distress; yes?

9 MS. HULL: Objection as to overbroad.

10 You can answer if you --

11 THE WITNESS: Yes, I did have that.

12 BY MS. COHEN:

13 Q Okay. Turn to the next page. Take a look
14 at paragraph 482.

15 A 482?

16 Q Uh-huh.

17 A Okay.

18 Q And it says that the stress of these
19 emotions arising from this discovery caused you to
20 have severe case of shingles.

21 A Yes.

22 Q Is that correct?

23 When did you get a severe case of shingles?

24 A It was estimated, I would say,
25 Thanksgiving, early December. Like, shingles is a

1 long course.

2 Q December, November you got shingles?

3 A I would say --

4 MS. HULL: Objection --

5 THE WITNESS: -- early --

6 MS. HULL: -- calls for speculation.

7 THE WITNESS: Were you heard? Was your
8 objection heard?

9 MS. HULL: You got that?

10 Yeah, she got it.

11 THE WITNESS: So, say, early December, late
12 November.

13 BY MS. COHEN:

14 Q So --

15 A I'm estimating.

16 Q Okay. So Assal passed away March 2017;
17 correct?

18 A Yes.

19 Q And you continued to suffer from
20 depression, guilt, emotional distress?

21 A With respect to that, separate from what
22 was happening from -- at Pali.

23 Q Okay. So much so that you actually got
24 shingles sometime in the fall or winter of 2017;
25 correct?

1 A I got the shingles --

2 MS. HULL: Objection as to calls for
3 speculation.

4 BY MS. COHEN:

5 Q You can answer.

6 A In order to answer that question, I will be
7 getting in -- I will be talking about this case more
8 intimately, something that I'm trying not to do at
9 this time. So --

10 Q Well, we are specifically talking --

11 A But --

12 Q -- about --

13 MS. HULL: Yeah. She's entitled to this
14 information.

15 THE WITNESS: I am -- around that time I
16 found out that the doctors who were treating my dog,
17 they were not who were they claim to be in terms of
18 credentials and experience.

19 BY MS. COHEN:

20 Q Okay. So it was around this time you were
21 so stressed by what Access had done to you that you
22 developed a case of shingles; is that correct?

23 A That the moment, yes.

24 Q Okay. And did you take any time off work
25 for shingles?

1 A No.

2 Q Okay. Take a look at page 60.

3 A But I did take -- yes. Go ahead. What
4 page?

5 Q 60, please.

6 A Yes.

7 Q Okay. What were you going to say? You did
8 take five days off work? Is that what you were
9 going to say?

10 A No, no, no. That was -- that was before.

11 Q Okay. When did you take the five days from
12 work?

13 A I already answered that.

14 Q I --

15 A That was when Assal passed.

16 Q Okay.

17 A Yeah. It was in March 2017.

18 Q Okay. And did your feelings of guilt and
19 depression and emotional distress impact your
20 ability to work?

21 A No, it didn't.

22 Q Okay.

23 A In terms of -- but my pain -- the
24 shingles -- that I had to drive to work with, you
25 know, wearing clothes. That was pretty painful.

1 Q Did you notify anyone at the high school?

2 A No. I discussed this with Dr. Perkins.

3 Q Okay.

4 A Was I supposed to notify someone?

5 Q It's not my deposition.

6 MS. HULL: Yeah, that's for us to ask.

7 BY MS. COHEN:

8 Q I'm just trying to get a little bit of
9 background. Okay?

10 In here on page 60, paragraph 483 --

11 A Paragraph 483.

12 Q It says Plaintiff had a horrible and
13 terrifying outbreak.

14 A Yeah.

15 Q Did you find it to be horrible and
16 terrifying?

17 A Yes.

18 Q Okay. And did the shingles outbreak cause
19 you to experience emotional distress?

20 MS. HULL: Objection. Calls for
21 speculation.

22 THE WITNESS: That takes a doctor and a
23 researcher to -- to answer that question.

24 BY MS. COHEN:

25 Q Okay. You agree that it was horrible and

1 terrifying, at least the way you felt; correct?

2 A The pictures show that.

3 Q I'm asking how you felt.

4 A The pictures show that. Yeah, they were
5 bad. They were bad shingles. Shingles is bad to
6 begin with.

7 Q Okay. And you -- it was painful?

8 A It is painful. It has pain. It has
9 burning sensations when your clothes rub against it.

10 Q Okay. And how long did you have this
11 shingles outbreak?

12 A I don't recall exactly, but estimation --
13 you mean breaks or these -- because I -- it was one
14 break. This was it -- that -- are you talking --

15 Q Yeah. How long did it last?

16 A Oh, how long did it last?

17 Q Yeah.

18 A Okay. Thank you.

19 Q Uh-huh.

20 A I don't remember exactly when it cleared
21 up.

22 Q Okay. Do you remember approximately how
23 long you had it?

24 A Definitely I would say for weeks.

25 Q Okay. Did you see a doctor?

1 Q Okay. Please take a look at the next page.

2 A What page was that?

3 Q 61.

4 A 61. Okay.

5 MS. HULL: Okay. So we are moving around.

6 MS. COHEN: It's just next page. This is a
7 compilation of some relevant portions. So we were
8 just on page 60, now 61.

9 BY MS. COHEN:

10 Q Is it correct that the shingles
11 interfered --

12 A What line are you?

13 Q Oh.

14 MS. HULL: 61. Page 61. It's an amended
15 complaint.

16 THE WITNESS: But then -- but then --

17 BY MS. COHEN:

18 Q 487.

19 A 487.

20 Q Paragraph 487.

21 Is it correct that it interfered with your
22 ability to drive to and from work, your ability to
23 sleep, your daily activities, and your physical and
24 mental well-being? Is that correct?

25 A Yes. I had a hard time driving. I

1 should -- I needed to sit forward, which I did. I
2 had to sleep -- my sleep was -- I had to only -- I
3 was able to sleep on one side. Rubbing the --
4 the -- the clothing material was -- would make it
5 painful.

6 Q Did it interfere with your daily
7 activities?

8 A Not my teaching ability.

9 Q Okay. I'm not asking you that.
10 Did it interfere with your daily
11 activities?

12 A I didn't shower. One of my daily
13 activities would be, like, shower or -- certain
14 activities, yes.

15 Q Okay. Which other activities?

16 A Moving around, moving about in terms of,
17 like, you know, like, your arms were, like, you
18 know, touching your side or the type of clothing
19 that we are wearing. Yeah, it was very
20 uncomfortable. It was wintertime.

21 Q Did it interfere with any specific daily
22 activities that you can think of?

23 A I --

24 MS. HULL: Objection. Asked and answered.

25 THE WITNESS: The specific ones I cannot

1 recall at this time.

2 BY MS. COHEN:

3 Q Okay. Would you agree that it interfered
4 with your physical and mental well-being?

5 A I can say it was not an easy time.

6 Q Okay. Is it correct that the shingles
7 interfered with your physical and mental well-being?

8 A I cannot answer that at this time. I don't
9 recall.

10 Q You don't recall one way or the other?

11 A Right, right now.

12 Q Okay. Take a look at paragraph 489.

13 A I'm sorry. What paragraph?

14 Q 489.

15 A 498. Okay.

16 Q It says Assal's death has forever changed
17 the plaintiff's life and has directly impacted her
18 career and income.

19 Do you see that?

20 A Yes.

21 Q Do you believe that that's a correct --
22 that's a true and correct statement?

23 A Can I come back to this?

24 Q No.

25 A Yes. Partially I was supposed to take my

1 National Board at that time, and that impacted that
2 exam.

3 Q How did it impact the exam?

4 A It -- it was quite a bad -- I did -- I
5 finished my -- I did get to finish what I was
6 working on and successfully did so, but it was
7 very -- it was a hardship to do that because it just
8 made it harder to -- to do that rigorous work. But
9 I did finish it. The -- and I did submit.

10 Q Okay. Any other ways that your --

11 A I don't recall right now. If you are
12 asking about 485. Are we still on 485? Oh, I'm
13 sorry.

14 Q 498.

15 A 489. Are you still asking that?

16 Q Yeah. I'm asking in what ways has the
17 defendants in this case or in the Access case's
18 conduct directly impacted your career and income?

19 A I don't recall at this time.

20 Q Okay. Take a look at the footnote.

21 A Yes.

22 Q Okay. Line 25 it says you did not eat for
23 five days; is that correct?

24 A Yes.

25 Q Okay. When did you stop eating for five

1 days?

2 MS. HULL: Okay?

3 MS. VAYNEROV: Do you want some water?

4 THE WITNESS: It's okay. When -- I don't

5 remember when I -- probably when I brought her home

6 I didn't and then after that.

7 BY MS. COHEN:

8 Q It says you missed a week of work and when

9 you --

10 A Yes, I did miss a week of work. I did

11 already say.

12 Q Yes.

13 A Five days of work is a week of work.

14 Q And did you -- did you request time off?

15 MS. HULL: Objection. Calls for

16 speculation.

17 BY MS. COHEN:

18 Q When you missed the five days of work, did

19 you have to make a request for time off?

20 A We go and submit something on the program

21 online.

22 Q Okay. And were you permitted to take that
23 week off from work?

24 A I don't think that I wrote to anyone. I
25 don't remember if I wrote to anyone or not.

1 Q Okay. Did anyone tell you that you
2 couldn't take the week off from work?

3 A We didn't have that discussion. People
4 have taken time off to go to bat for two month and a
5 half at our school.

6 Q I'm asking about you specifically.

7 A Okay.

8 Q Did anyone tell you that you couldn't take
9 the time off?

10 A We didn't have that dialogue.

11 Q Okay. And then it says that when she --

12 A I think we didn't have that dialogue. I
13 don't recall it at this time.

14 Q And it says that when you returned to work,
15 Plaintiff, you, was not the same. Normally very
16 chatty, she only spoke as she needed for work; is
17 that true?

18 A Yes, it is true. But I did talk fully and
19 I gave it more than 100 percent every day that I
20 worked and I answered my questions, my students'
21 questions. I limited my conversation to work alone.

22 Q Okay. Let's break this down. It says that
23 when you returned to work, you were not the same; is
24 that true?

25 A Yes, I wasn't talkative.

1 Q Not talkative.

2 A I wasn't, like, chatty about whether this,
3 that, that, small talk anymore.

4 Q Okay. Is it your testimony that prior to
5 this you had been chatty and engaged in small talk?

6 A I would talk about weather. I would talk
7 about, like, you know, other things that had no
8 impact on anything.

9 Q Okay. But when you returned you were no
10 longer --

11 A I was --

12 Q -- interested --

13 A -- quiet, yes.

14 Q Please let me finish.

15 A Sorry.

16 Q When you returned you were no longer
17 interested in engaging small talk with your
18 coworkers and students; is that correct?

19 A Okay. Can we --

20 MS. HULL: Objection. Overbroad.

21 THE WITNESS: I wouldn't do small talk with
22 my coworkers, just -- I'm talking about, like, you
23 know, weather, this, this, this, things that would
24 have no impact, not repeatly, not all the time.

25 But, you know, I was -- when I went back, I was very

1 quiet, yes. At the time I was very quiet. But I
2 engaged with my students and anything that my
3 students needed was addressed.

4 BY MS. COHEN:

5 Q Okay.

6 A But would I, like, pass people, hi, with
7 the biggest smile and say hi in terms of admin
8 office or other places, I was -- my head was down.

9 That is --

10 Q Okay. Was it down as a result of what
11 happened with Assal?

12 A I wanted to be -- I wanted to be quiet and
13 I wanted just to do my work and be quiet. And I had
14 no interest in engaging other conversations unless
15 if it was work related. Anything that was work
16 related, I give it -- I gave it my best.

17 Q Okay. And prior to what had happened with
18 Assal, would you say you were normally very chatty?

19 A I was -- you know, I would talk to friends
20 over the phone and, you know, spend time on the
21 phone, chat with them, meet with them, all of that.

22 Q Okay. It says here that normally very
23 chatty, she spoke only as she needed to for work.

24 Were you previously very chatty at work?

25 A Chatty -- I don't think this is only

1 talking about work. It talks about work and
2 personal life combined.

3 Q Okay. It appears as this sentence is
4 specifically talking about work. When she did
5 return, Plaintiff was not the same. Normally very
6 chatty, she spoke only as she needed to for work.

7 My question is: Were you normally very
8 chatty at work prior to what happened with Assal?

9 THE WITNESS: She is -- this is becoming
10 very technical.

11 MS. HULL: It's okay. You can answer the
12 question to the best of your recollection.

13 THE WITNESS: I would try to be very social
14 as needed and be very personable. Is personable the
15 right word to use?

16 MS. HULL: Yes. Personable is okay word.

17 MS. COHEN: Why don't we go off the record.
18 She needs to change the tape.

19 MS. HULL: Okay.

20 THE VIDEOGRAPHER: We are off the record.
21 It is 3:45 p.m.

22 (Recess taken)

23 THE VIDEOGRAPHER: This is Media Number 3
24 in the video deposition of Roya Saghafi. We are
25 back on the record. It is 3:49 p.m.

1 BY MS. COHEN:

2 Q Okay. Ms. Saghafi?

3 A Yes.

4 Q You okay to proceed --

5 A Yes, yes, yes.

6 Q -- with your deposition?

7 A Thank you for asking.

8 MS. COHEN: Could you read back my last
9 question and the answer?

10 (Record read)

11 BY MS. COHEN:

12 Q Going back to the footnote, it says
13 Depressed and withdrawn, the plaintiff, you,
14 refrained from talking to her friends for more than
15 six months; is that true?

16 A Yes.

17 Q She did not go out to dinner or attend any
18 social gatherings for 11 months; is that true?

19 A Correct.

20 Q And is that because you were depressed?

21 A No. Because -- well, it could have been
22 depressed, but also I needed time to work things out
23 because I dedicated my time to my work.

24 Q Uh-huh.

25 A I was dedicated before as well, but my --

1 my life was determined around work and being with
2 this matter both.

3 Q Okay.

4 A So I decided -- so my -- and was I
5 depressed about it? Yes, I was.

6 Q Is it true that you cried every day for
7 more than a year?

8 A Yes, I did.

9 Q Okay. Turn to the next page. It would be
10 page 65.

11 A Yes.

12 Q Okay. If you look at paragraph 512, is it
13 true that for all --

14 A I'm sorry. What -- what paragraph?

15 Q I'm sorry. 512.

16 A 512. Okay. I'm sorry.

17 Q Is it true that for all intents and
18 purposes Assal was like your surrogate child?

19 A Yes, she was. And you asked that earlier.
20 Yes, she was.

21 Q In looking at paragraph 514, again, she was
22 your source of joy and love and the most important
23 thing to you; is that correct?

24 A Correct.

25 Q Okay. Take a look at page 140 --

1 A By the way, given to me by a student.

2 Q Take a look at page 145.

3 A Yes.

4 Q Paragraph 1054.

5 A Okay.

6 Q You allege here that Plaintiff, who was
7 physically present, suffered serious emotional
8 distress as a direct result and consequence of the
9 defendants conduct. Defendants Access and the rest
10 of the defendants in this case.

11 A Yes.

12 Q Is that true?

13 A Yes.

14 Q Okay. Next paragraph it says the
15 defendants' negligence -- and, again, defendants is
16 Access and the rest of the defendants in this
17 case -- was a substantial factor in causing
18 Plaintiff's serious emotional distress; is that also
19 true?

20 A Yes.

21 Q Okay. And finally if you look at 1056, it
22 says Plaintiff's emotional distress includes
23 suffering, anguish, nervousness, grief, anxiety,
24 shock, humiliation, and shame; is that true?

25 A It is hard to remember the exact moment and

1 how it was back then right now, but it was that way.

2 I'm sure that everything that I said in this was

3 true.

4 Q Okay. And 1057 it says Plaintiff's

5 emotional distress was so severe it resulted in

6 physical manifestations, shingles --

7 A Shingles.

8 Q -- and dramatically adversely impacted

9 every aspect of your life; is that true?

10 A Subject to interpretation, and yes.

11 Q Okay. All right. Take a look at 1059 of

12 the same page. It says Defendant Hadar's

13 intentional conduct caused Plaintiff to suffer

14 severe additional emotional distress; is that --

15 A Yes.

16 Q -- true?

17 A Yes.

18 Q Okay. Who's Defendant Hadar?

19 A A veterinary doctor at Access.

20 Q So in addition to what Access had done, his

21 conduct caused additional emotional distress;

22 correct?

23 A Correct.

24 Q Okay. And Defendant Hadar's conduct was so

25 outrageous and -- was both outrageous and intended

1 to cause you emotional distress; is that true?

2 A I believe so.

3 Q Okay.

4 A What -- what paragraph are we on?

5 Q 160.

6 A 160. Yes.

7 Q Okay. Take a look at page 148.

8 A Yes.

9 Q Okay. 1087 it says Defendant Hadar
10 intended to cause Plaintiff severe emotional
11 distress or, at a minimum, acted with reckless
12 disregard of the probability that Plaintiff would
13 suffer severe emotional distress.

14 Do you believe that that's true?

15 A Yes.

16 Q Okay. Next paragraph it says that
17 Plaintiff, you, did, in fact, suffer severe
18 emotional distress and Defendant Hadar's conduct was
19 a substantial --

20 A Yes.

21 Q -- factor in causing you that severe
22 emotional distress; is that correct?

23 A Yes.

24 Q And that's conduct that occurred in March
25 of 2017; correct?

1 A Yes.

2 Q And emotional distress that you suffered to
3 at least May 2018; correct?

4 MS. HULL: Objection. Calls for a legal
5 conclusion. Wholly inappropriate under Rifkind.

6 THE WITNESS: It is 2019. I don't recall
7 but I know that I've been truthful.

8 BY MS. COHEN:

9 Q Okay. All right. You can put that aside.
10 We are done with that. Thank you. You okay?

11 A Yeah, I'm okay.

12 Q Okay. All right. Other than the
13 deposition that you previously mentioned --

14 A Can I put that aside?

15 Q Yes.

16 MS. HULL: Yeah, you are done.

17 MS. COHEN: Thank you. Appreciate it.

18 MS. HULL: Hand it back to the court
19 reporter.

20 MS. COHEN: The court reporter has her own
21 copies.

22 MS. HULL: Okay. Well, is that the copy
23 for the -- you are using for the court reporter?

24 Okay.

25 ///

1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF LOS ANGELES)

4
5 I, Deborah L. Heskett, a Certified Shorthand
6 Reporter, do hereby certify:

7 That prior to being examined, the witness in
8 the foregoing proceedings was by me duly sworn to
9 testify to the truth, the whole truth, and nothing
10 but the truth;

11 That said proceedings were taken before me
12 at the time and place therein set forth and were
13 taken down by me in shorthand and thereafter
14 transcribed into typewriting under my direction and
15 supervision;

16 I further certify that I am neither counsel
17 for, nor related to, any party to said proceedings,
18 nor in any way interested in the outcome thereof.

19 In witness whereof, I have hereunto
20 subscribed my name.

21
22 Dated: April 26, 2019

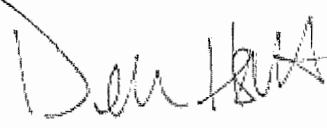
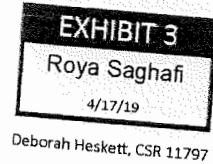
23 
24 _____
25 DEBORAH L. HESKETT
CSR No. 11797

EXHIBIT E

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ROYA SAGHAFI, an individual,

Plaintiff,

vs.

ACCESS SPECIALTY ANIMAL HOSPITALS,
LOS ANGELES (ADVANCED CRITICAL
CARE, EMERGENCY AND SPECIALTY
SERVICES); CITY OF ANGELS VETERINARY
SPECIALTY CENTER, LLC.; RICHARD MILLS,
DVM, ACCESS SPECIALTY ANIMAL
HOSPITALS, WOODLAND HILLS; HOWARD
LIBERSON, ELENA HADAR, DVM, JENNIFER
GEIGER, DVM, STEPHANY STREETE, DVM,
YONATHAN BUKS, DVM, ADAM EATROFF,
DVM, and DOES 1 through 10 inclusive,

Defendants.

) CASE NO. SC128992

) FIRST AMENDED COMPLAINT

-) 1. Fraud & Deceit (Intentional
) Misrepresentation: §1709, §1710, §1572-73)
) 2. Negligent Misrepresentation (§1709)
) 3. Unfair Competition (B&P, §17200 et seq)
) 4. False Advertising (B&P, §17500 et seq)
) 5. Deceit upon the Public (Civ. Code §1711)
) 6. Violations of the CLRA
) 7. Violations of Bus. and Prof. Code §651
) 8. Negligence
) 9. Negligent Infliction of Emotional Distress
) 10. Intentional Infliction of Emotional Distress

Demand For Jury Trial

INTRODUCTION

1. This case is not just about the Plaintiff, a schoolteacher, and the death of her life companion Assal, who was, for all intents and purposes, the Plaintiff's surrogate daughter and California acknowledges, in Family Code §2605, pets are like family members. (Plaintiff laments, "I have lost the most precious, loyal, innocent, descent, perceptive, and caring individual in my life. The dearest being to my heart. I never had children and no brothers and no sisters. Assal was my everything and the Defendants knew this.")

2. Plaintiff spent tens of thousands of dollars in medical care treating Assal, including spending nearly \$22,000 just in just the last eight months of Assal's life—money wasted as a result of the Defendants' unlawful actions.

3. The Plaintiff is just one of dozens of victims of the Defendants false advertising, unlawful business practices and violations of the *Consumer Legal Remedies Act*.

4. This case arises from the Defendants' pattern and practice of falsely representing to the public, for more than a decade, and to the Plaintiff, that they are providing top tier experienced veterinary specialists, yet although charging fees commensurate with providing such experienced veterinary specialists, double and even triple what other veterinarians charge, the truth is directly contrary to the Defendants' representations: The Defendants are not and have not been providing top tier experienced veterinary **specialists**—but rather, the opposite.

5. While the Defendants represent they are providing "exceptional specialty veterinary care where pet owners and primary veterinarians have ACCESS to cutting-edge medicine with the best doctors and support staff in a warm, family environment" and that they are providing a veterinary staff "built on a foundation of exceptional medical training" what the Defendants have actually been providing are the services of *dozens* of (i) **inexperienced veterinarians with temporary licenses**; (ii) inexperienced veterinarians from **Caribbean and other overseas veterinary schools** and persons whose qualifications were such that they were **unable to gain admission to American veterinary schools**, (iii) foreign veterinarians who are inexperienced and (iv) general practitioners (not specialists) who have only recently finished their residencies and become licensed as a generalist, etc.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ROYA SAGHAFI, an individual,

Plaintiff,

vs.

ACCESS SPECIALTY ANIMAL HOSPITALS,
LOS ANGELES (ADVANCED CRITICAL
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6. Violations of the CLRA
7. Violations of Bus. and Prof. Code §651
8. Negligence
9. Negligent Infliction of Emotional Distress
10. Intentional Infliction of Emotional Distress

Demand For Jury Trial

1 of the time with hardly any breaks in between the madness. More genuine appreciation for
2 employees might decrease the high turn over rate.”

3 17. These Defendants used their false and deceptive representations to take advantage of
4 pet owners and defraud them when they were most vulnerable—when their pets are ill. The more
5 the pet owner loved their pet, the more vulnerable they were to the Defendants’ deceit.

6 18. This pattern and practice of falsely representing and failing to disclose the
7 experience and qualifications of their veterinary staff has not only resulted in the deaths of
8 potentially hundreds of beloved pets and consumers being charged millions of dollars in excessive
9 fees, but has led to severe depression in Pet Parent Consumers, including the Plaintiff.

10 19. In fact, at least one of the Defendants’ clients, Betty Dews, *committed suicide* as a
11 result of the Defendants’ unlawful business practices while other consumers have also expressed
12 thoughts of suicide, as set forth below.

13 20. More than 100 Consumers have taken to the Internet to complain in detail about the
14 Defendants’ business practices, as shown by the Exhibits attached hereto.

15 21. The Defendants are fully aware of the serious and even potentially fatal (to pets and
16 their owners) ramifications of their illicit actions, as the Defendants’ website reveals they offer the
17 services of a licensed psychologist, a *grief counselor*, thereby acknowledging the significance of
18 these pets to their customers and the potential devastating consequences of their loss.

19 <https://accessanimalhospitals.com/our-doctors/kathleen-ayl-psy-d/>

20 22. The Defendants have knowingly engaged in, and continue to engage in, false and
21 deceptive representations and concealments in order to maximize their profits at the expense of pet
22 and pet owner well-being.

23 23. Multiple lawsuits have been filed against these Defendants Advanced Critical Care
24 and Emergency Specialty Services and its founder and owner, Defendant Richard Mills, something
25 particularly unusual given the inherent hurdles in bringing such actions against veterinarians,
26 repeatedly making the same allegations, underscoring the egregiousness of the Defendants’ pattern
27 and practice of fraud and deceit.
28

1 179. However, Dews spent her life savings on legal fees, even selling off her business
2 property to continuing funding the lawsuit.

3 180. When the Dews ran out of money and assets to sell, she and her husband (Tom
4 Dews) were forced to settle her case for less than they spent on legal fees (which were well into the
5 six figure range).

6 181. Dews lost her beloved companion, her and her husband's life savings and her
7 business and took her own life.

8 182. But for the Defendants' fraud and deceit, Dews would be alive today.

9 183. Even the name of the Defendants' business, *Advanced Critical Care and Emergency*
10 *Specialty Services*, reflects the manner in which the Defendants represent their services to the public
11 and represented their services to the Plaintiff in their advertisements, on their website and in-person:

12 184. The Defendants are not just providing veterinary services or even a veterinary
13 hospital, but rather the Defendants represent themselves to be the advanced critical care and
14 emergency specialty care facility for pets in Southern California.

15 185. However, behind the slick marketing campaign the truth is to the contrary as a
16 veterinary facility is only as good as its veterinarians and while the Defendants represent to the
17 public they are providing their patients with "experienced specialists" at their *Advanced Critical*
18 *Care and Emergency Specialty Services* facility, these representations are false and deceptive.

19 186. Assal was an adorable little Chihuahua and the Plaintiff's companion for years.

20 187. Assal was the Plaintiff's greatest source of joy and love, that which was most
21 important to the Plaintiff, facts made known to the Defendants from the outset and before the
22 Defendants rendered services, services whereby the Plaintiff would pay the Defendants tens of
23 thousands of dollars.

24 188. Yet unbeknownst to the Plaintiff, the veterinarians treating Assal were not as
25 advertised, the opposite in fact: They were inexperienced *and* not specialists.

26 189. Relying on their advertisement, plaintiff relinquished services of a UC Davis
27 graduate veterinarian with 28 years of experience .
28

1 190. Relying on their advertisement, Plaintiff did not seek services of another UC Davis
2 graduate veterinarian, graduated second in class.

3 191. Had plaintiff known the true facts about veterinarians treating Assal at ACCESS, she
4 would have not chosen ACCESS over the aforementioned practices.

5 192. Had plaintiff known the facts about veterinarians treating Assal at ACCESS, plaintiff
6 would have never entrusted Assal' health to the Defendants.

7 193. In order maximize their profits the Defendants, most notably owner Richard Mills
8 (while generating millions of dollars as the owner of *Advanced Critical Care and Emergency*
9 *Services*) minimizes the salaries the Defendants pay their veterinarians and staff.

10 194. According to published reports, the Defendants pay for their staff is "horrible" and
11 there is little training.¹

12 195. The Defendants have a long history of hiring inexperienced veterinarians who don't
13 even have licenses to practice veterinary medicine in the state of California; who just recently
14 finished their residencies; veterinarians from overseas veterinary schools where the standards are
15 below those of California veterinary schools; veterinarians who don't even have licenses to practice
16 veterinary medicine independently in the state of California; and veterinarians who only have
17 Temporary Licenses and who are supposed to render veterinary services only when under the
18 supervision of another licensed veterinarian.

19 196. In fact, the Defendants, led by their owner defendant Mills, market themselves to
20 residents and new veterinarians as offering them a place to get their experience so they can put
21 something on their resume. (From the Defendants' recruitment materials: "You want action?"
22 "You've got it. **Experience? Stick this on your resume.**" (Exhibit below.)

23
24 ¹ Employee reviews of *Advanced Critical Care and Emergency Specialty Services* describe the pay
25 as "horrible" and indicate little or no training: *Former Employee*. "**The Pay is Really, Really**
26 **Bad.**" From another former employee: "I worked at Advanced Critical Care, Emergency and
27 Specialty Services Animal Hospitals full-time for more than a year. "**Pay was horrible for the**
28 **amount of work one is expected to do. Be prepared to be thrown in to the mix right off the bat**
without much training." <https://www.glassdoor.com/Reviews/Advanced-Critical-Care-Emergency-and-Specialty-Services-Animal-Hospitals-Reviews-E844902.htm>

1 209. In return, Mills saves millions of dollars by having inexperienced, unlicensed
2 veterinarians work for him and the Defendants for pennies on the dollar of what an actual
3 experienced, fully licensed veterinary specialist would cost to retain on staff.

4 210. None of this is disclosed to the Consumers, who are instead are under the false
5 impression created by the Respondents that they are receiving the services of top tier, industry
6 respected, experienced veterinary specialists and these unsuspecting consumers are charged fees
7 commensurate with those charged by top tier experienced veterinary specialists.

8 211. At one point the Plaintiff heard Assal screaming in pain from the back where Access
9 staff had taken her. Alarmed, the Plaintiff demanded to know what was happening to Assal as she
10 never screamed that way before, yet the ACCESS employee seemed oblivious to Assal's cries and
11 Plaintiff's protestations.¹

12 212. One of the veterinary technicians was rough handling Assal, something experienced
13 and properly trained veterinary technicians would not do.

14 213. The Plaintiff did not want to leave Assal in the Defendants' care but the Defendants
15 strong-armed the Plaintiff, who was already in an emotional and vulnerable state, and refused to
16 return Assal to the Plaintiff.

17 214. Plaintiff, insistent on seeing Assal after being pressured to leave Assal with the
18 Defendants, asked to speak with veterinarian but her requests were refused. Plaintiff waited
19 patiently for hours, until after midnight in fact, pleading with the staff to see Assal.

20 215. Plaintiff had asked to speak to a nurse and after a while a man named Danny came to
21 talk to the Plaintiff.

22 216. Danny was intimidating and he bullied the Plaintiff, speaking to the Plaintiff in a
23 manner she felt was very intimidating.

24 217. When the Plaintiff told Danny she wanted to see Assal, Danny, in an intimidating
25 way, told her she would not be permitted to see her dog.

26 ¹ CCR 2032.05. **Humane Treatment.** When treating a patient, a veterinarian shall use appropriate
27 and humane care to minimize pain and distress before, during and after performing any
28 procedure(s).

1 218. Plaintiff then stated to Danny she wanted to speak with the doctor but Danny said
2 the doctor would not be available and that he would not let the Plaintiff "bother" the veterinarian.

3 219. Plaintiff then stated she wanted to speak to the Nurse Supervisor but again Danny
4 stated he would not let the Plaintiff speak with her as he would not, in his words, allow the Plaintiff
5 to "bother" the nurse.

6 220. Danny spoke about Assal in an ominous way, saying that there was a lot wrong with
7 her, and the way he spoke made the Plaintiff fearful of saying anything else, as Assal was under
8 Danny's care in the back, out of view and behind closed doors, and she did not want him to do
9 anything harmful to Assal.

10 221. Plaintiff was afraid to say anything or ask for anything else.

11 222. With Assal in the back and the Defendants not letting her see Assal and forcing
12 Assal to stay in their care, Plaintiff felt like a prisoner.

13 223. The Defendants have a history of doing this, i.e., refusing to return a pet and strong-
14 arming customers into paying substantial sums of money. In fact, such an incident previously
15 resulted in a lawsuit that made the news, as the Defendants sought to force a pet owner to pay
16 \$10,000. The pet owner sued the Defendants for, inter alia, extortion, as was reported in the news.¹

17 224. Plaintiff is further informed, believes and alleges that the Defendants falsify medical
18 records in order to cover-up their mistakes.

19
20
21 ¹ It was reported the Consumer signed an estimate and authorization for services after being asked to do so, according to
22 the lawsuit. She was told "immediate surgery" was needed to save Mojo's life, costing \$10,000, but "that there was no
23 guarantee that Mojo would survive the surgery." She explained that she did not have \$10,000 and called several friends
24 to see if they could come up with the money, but none could, states the lawsuit, which adds one friend applied for credit
25 at the center and was declined. Kelly, according to the lawsuit, "then insisted that she be allowed to go home and bring
26 back a check, but the defendants refused, "stating that they were afraid [Kelly] would abandon the dog and not come
27 back." She also asked to bring Mojo home that day so she could bring the animal to her own veterinarian in the
28 morning, the filing states. The defendants refused, giving her "three options," the court filing states: "1) Put the dog to
sleep 2) Pay the \$10,000 3) Keep the dog in critical care overnight, which would cost \$1,500 in addition to what the
defendants were going to charge [Kelly] for what they had already done, which was in the sum of \$1,308.75." The
defendants also told Kelly that "if she insisted on taking her dog home, that she would have to sign a form that it was
against" their medical advice, "and that they were going to report her to the authorities for 'animal cruelty,' which is a
crime," the lawsuit states. <https://abcnews.go.com/Business/calif-woman-sues-million-claiming-veterinary-office-extort/story?id=19883469>

1 225. Plaintiff was told one thing by the Defendants' treating veterinarians but then
2 something completely different was entered in the patient's charts by these same treating
3 veterinarians in apparent efforts to cover these veterinarians' mistakes, misrepresentations, and
4 illicit sales tactics.

5 226. Plaintiff's veterinary review of the medical records disclosed discovered what the
6 veterinary reviewer described as entries that were "cut and paste" from prior entries, thus indicating
7 evaluations had not actually been performed.

8 227. In other instances he noted how there was an entry in the veterinary record stating
9 vitals were not taken, but then there appeared notes regarding those vital readings—thus indicating
10 the service was not performed but that the records were later altered to make it appear as though
11 vitals were taken when they were not.

12 228. Other Consumers have reported similarly false recording of information on their
13 charts as well.

14 229. Other Consumers have reported the Defendants failure to provide veterinary records
15 when requested, as is required.

16 230. Plaintiff is informed, believes and alleges the Defendants will cut and paste prior
17 medical entries rather than actually performing the requisite checks and monitoring.

18 231. Plaintiff alleges the Defendants in her case refused to timely release her veterinary
19 records, intentionally and specifically, in order to interfere with Plaintiff's efforts to obtain a second
20 opinion regarding the care the Defendants had rendered to Assal while Assal was still alive and in
21 the Defendants' care.

22 232. By the Defendants finally provided the records, nearly four weeks later, it was too
23 late for a second opinion and Assal was dead.

24 233. The Defendants failed to release the Plaintiff's lab results, despite repeated demands,
25 even when the entire purpose of plaintiff's specific outpatient visit on 3/13/2017 that generated
26 those records was for lab work, lab work for Assal's diet to be modified as needed, for plaintiff to
27 consult a doctor outside ACCESS on 3/14, but also for Plaintiff 's review so the Plaintiff could
28 monitor Assal's treatment and progress in the Defendants' care.

1 234. Plaintiff tried to obtain a second opinion while Assal was in the Defendants care but
2 the Defendants interfered with this as well, again reflecting intentional conduct designed to conceal
3 the Defendants' transgressions.

4 235. Further reflecting the inexperience of the Defendants' staff and lack of supervision is
5 the fact that discovery in prior cases shows the Defendants' medical charts for patients exhibited
6 numerous fundamental recording errors. E.g., medical notes indicated the wrong sex and pet ages
7 being off by nearly a decade, something that could substantially impact treatment.

8 236. Medical records even incorrectly stated the purpose for the pets being at the
9 Defendant's facility—again creating a situation where a pet would be incorrectly treated. (In that
10 case, the dog died from the consequences of starvation as a result of the Defendants gross
11 negligence.)

12 237. Plaintiff is informed, believes and thereon alleges the Defendants and/or their
13 employees have been cited by the California Veterinary Medical Board, on multiple occasions, for
14 their failure to keep adequate records.

15 238. Absent adequate records, pets are being given the wrong medications and the wrong
16 doses of medications as Defendants' veterinarians, particularly during shift changes, find it easier to
17 just prescribe a medication based on what he or she sees when taking a quick look at the pet rather
18 than actually getting up to speed on the pets complete medical record, including pre-existing
19 conditions and medications, a process that could take a significant amount of time if done properly.

20 239. In the present case the Defendants' veterinarians prescribed medications the Plaintiff
21 had already previously stated have adverse effects on Assal, something they would have known if
22 they took the time to read her chart.

23 240. Plaintiff was promised on 3/13/2017, that if she were to take Assal to their facility
24 for blood draw, doctor (s) would thoroughly be reviewing Assal's chart and history.

25 241. Plaintiff relied on that promise and took Assal there for blood draw, rather than a
26 facility which did not have full history and chart on Assal's.

27 242. Plaintiff, who knew Assal better than a veterinarian unfamiliar with her dog,
28 informed the Defendants that Metronidazole and Reglan were drugs that had significant adverse

1 affects on Assal. (E.g., Metronidazole is a drug linked to pancreatitis, an illness Assal was
2 particularly vulnerable to.)

3 243. Pancreatitis is a condition that if not managed could lead to expeditious demise.

4 244. Defendant Geiger, began administration of Metronidazole to Assal without
5 symptoms and cause requiring the administration of this medication.

6 245. Hadar, Streete continued with administration of Metronidazole to Assal

7 246. Neither defendants, Geiger, Hadar, or Streete, informed Plaintiff that they were
8 giving Assal Metronidazole.

9 247. Had Plaintiff known that Metronidazole and Reglan was being given to her dog, she
10 would have insisted on release of Assal earlier when Assal had a chance.

11 248. Neither Geiger, Streete, Hadar added SPEC CPL to the panel to check on the status
12 of Assal's pancrease, something an experienced veterinarian or an specialist would have done both
13 in light of Assal's history documented in her chart and the rise in blood sugar for which Defendant
14 Streete had hospitalized Assal for.

15 249. Dr. Geiger put Assal on Metronidazole the night before Assal's neurological exam,
16 when Metronidazole had serious neurological side effects on Assal and this fact was communicated.

17 250. Dr Geiger put Assal on Metornidazole without cause and system and without
18 consideration for reported and published side effects and adverse reactions of the medication, i.e.
19 the most serious adverse reaction being convulsive seizures. Other side effects, include ataxia,
20 dizziness, irritability, depression, weakness, insomnia, bertigo, incoordination, syncope, numbness
21 of paresthesia of extremities, diarrhea, anorexia nausea, vomiting abdominal cramping.

22 251. Assal developed some of the above symptoms after her hospitalization.

23 252. Plaintiff only had agreed to temporary hospitalization of Assal and administration of
24 iv fluid, Pepcid and cerenia injection

25 253. Plaintiff was made to believe that once Assal's blood sugar lowered, she would be
26 released to Plaintiff.

27 254. Defendants did not release Assal to plaintiff even when Assal's sugar was dropped.
28

1 255. Hadar incorrectly theorized Assal had a UTI (urinary tract infection) but the Plaintiff
2 stated she did not have a UTI and did not want Assal on a UTI antibiotic.

3 256. Hadar ignored the Plaintiff's instructions and started giving Assal antibiotics for a
4 UTI.

5 257. Plaintiff argued with defendant Hadar, stating emphatically she did not want Assal to
6 have the antibiotic.

7 258. Even after it was confirmed Assal did not have a UTI, Hadar refused to abide by
8 Plaintiff's wishes and refused to stop giving Assal the antibiotic.

9 259. Hadar stated she had already given Assal a dosage and that now she had to complete
10 the full treatment and it was not possible to stop giving the antibiotic.

11 260. Such a statement is patently false as Hadar's concern for antibiotic intolerance, in an
12 older dog like Assal, was illogical as such intolerance would be the least of Assal's health issues.

13 261. Hadar incorrectly hypothesized UTI and insisted and persisted on performing
14 Cystosynthesis on Assal. Cystosynthesis is a very stressful procedure where a sterile needle would
15 inserted through skin into abdomen and bladder to collect urine sample.

16 262. Plaintiff was extremely reluctant to subject Assal to this stressful procedure and
17 plaintiff knew Assal did not have Urinary Tract Infection (UTI).

18 263. However, Dr. Hadar insisted on the procedure causing the pressured Plaintiff to
19 consent to the procedure reluctantly.

20 264. The procedure to be unnecessary as Assal did NOT have any infection and the
21 records reflects this fact.

22 265. The procedure subjected Assal to unnecessary stress and pain, which is to be avoided
23 in patients with kidney illness.

24 266. The sole benefit of this procedure was the money generated for the Defendants.

25 267. Plaintiff drove to ACCESS on 3/14 to bring Assal home, but Hadar insisted and
26 persisted on doing the procedure.

27 268. Further, Hadar erroneously theorized that rise in Assal kidney values were due to
28 bacteria and stated this to the Plaintiff.

1 269. Hadar further convinced Plaintiff to continue the hospitalization of Assal by scaring
2 the plaintiff, stating the Neurologist had told Hadar that Assal had a blood leakage in her brain,
3 while Hadar pointed to her own forehead as if to emphasize the point further.

4 270. Only later after Assal's death, through subsequent review of the medical records, did
5 Plaintiff discover no neurologist ever made such a finding.

6 271. Hadar told Plaintiff that Assal had been standing in her cage talking to them so she
7 had her brought to the Plaintiff.

8 272. When plaintiff put Assal under her sweater, Assal feeling the warmth, fell asleep and
9 Plaintiff felt Assal's drowsiness.

10 273. Unbeknown to Plaintiff, Hadar had given Assal medication that would cause Assal
11 to feel drowsy.

12 274. Once Hadar left the room and Plaintiff saw Assal's lethargic state (unaware of the
13 drugging of Assal) she consented to continued hospitalization given the fear generated by Hadar's
14 statements.

15 275. Plaintiff went home in despair and scared and cried all night as a result of what
16 Hadar had told her.

17 276. Continued hospitalization of Assal proved neither beneficial to Assal nor to the
18 plaintiff, was, however, in the interest of Dr. Hadar and ACCESS as it financially contributed to
19 producing revenue and income for ACCESS.

20 277. Hadar's intent to defraud and conceal from the Plaintiff was further revealed when
21 she instructed the Plaintiff to take Assal to UC Davis for hemodialysis.

22 278. Hadar presented a scenario that was not only false, but would present the Plaintiff
23 with "options" that were, for all intents and purposes, impossible.

24 279. Hadar's intent was to scare the Plaintiff into leaving Assal with the Defendants and
25 for two reasons.

26 280. First, the Defendants would continue to bill the Plaintiff for Assal's treatment while
27 in their care.
28

1 281. Second, if the Plaintiff brought Assal elsewhere the new veterinarians would
2 discover their inept care and negligence, something clearly not in the Defendants' interests.

3 282. Hadar respresented to the Plaintiff that Assal was definitely dying and that Assal had
4 fours hours to live and that Assal should be euthanized.

5 283. Plaintiff wanted to take Assal to another facilty and Dr. Hadar advised plaintiff that
6 doing so would cause unnecessary stress on Assal and should not be done.

7 284. Yet Dr. Hadar suggested taking Assal to their own sister hospital in Culver City for
8 dialysis.

9 285. Plaintiff had previously been to the ACCESS location in Culver City and was
10 advised Assal was not a candidate for hemodialysis, as she was also advised by the cardiologist at
11 Woodland Hills, something Hadar should have known had she (1) reviewed Assal's ACCESS
12 medical records as veterinarians at both Culver City and Woodland Hills had previously determined
13 Assal was not a candidate for hemodialysis, or (2) if Hadar was actually a specialist in this area as
14 Plaintiff was led to believe.

15 286. Having been told the doctors at ACCESS stated Assal was not a candidate for
16 dialysis by the Plaintiff, Hadar, with sarcasm in her voice, suggested the Plaintiff take Assal to UC
17 Davis' Veterinary Hospital—a facility that is at least a six hour drive and 400 miles away.

18 287. This was particularly shocking as moments earlier Hadar had told the Plaintiff her
19 taking Assal to another veterinarian just 20 minutes down the street would be too stressful a car
20 ride.

21 288. Plaintiff then stated the obvious, that for a dog that may only have four hours to live
22 and where a 20 minute drive was too stressful, how did Hadar expect the Plaintiff to take Assal on a
23 seven or eight hour drive?

24 289. Hadar snapped back, stating you could fly there in an hour or two.

25 290. Plaintiff thought this was ludicrous as it takes far longer to buy a ticket, travel to the
26 airport, go through security, board the plane, in flight time, land and then arrange ground
27

28

1 transportation than an hour or two and all this travel and flight would be incredibly stressful on a
2 little dog who Hadar just stated could have as little as four hours to live.

3 291. Curious, Plaintiff asked how often this would need to be done and Hadar responded,
4 "you will have to relocate there."

5 292. Plaintiff contends that Hadar then falsified her notes in Assal's chart.

6 293. According to Hadar's own notes, Hadar represented to the Plaintiff that Assal would
7 have only a few hours to live if Plaintiff took Assal from the Defendants' facility and brought her
8 home or to another facility.

9 294. Yet the facility Hadar suggested was UC Davis, some seven hours away, as she
10 suggested Davis' hemodialysis clinic.

11 295. Hadar failed to prescribe hemodialysis days earlier when Assal was first admitted
12 because this would have resulted in the discharge and transfer of Assal from the Defendants'
13 facility and once discharged the Defendants would be unable to profit from the Plaintiff.

14 296. Previously, Plaintiff wanted hemodialysis for Assal but defendant Eatroff had
15 erroneously stated hemodialysis could not be performed on Assal.

16 297. Plaintiff demanded to take Assal home yet Dr. Hadar kept Assal in the back for 2 ½
17 hours after she had just told the Plaintiff that Assal had only 4 hours to live.

18 298. Given Plaintiff's demand for the release of Assal, Hadar gave the Plaintiff a
19 Hobson's choice: Assal would be dead if she was released to the Plaintiff unless the Plaintiff took
20 Assal to UC Davis for hemodialysis.

21 299. On the one hand Hadar stated Assal would likely be dead within a few hours if she
22 was discharged while on the other hand Hadar suggested Assal's only other hope was a seven hour
23 drive away. In other words, according to Hadar, Assal would not survive the trip to Davis.

24 300. Unbeknownst to the Plaintiff, and what defendant Hadar should have prescribed *if*
25 Assal really needed dialysis, was the UC Davis Veterinary Hemodialysis Center in San Diego, just
26 over two hours away and not seven hours away as was the facility at UC Davis in Davis.

27 301. Moreover, Hadar told the Plaintiff that Plaintiff would have to relocate to Davis in
28 order to treat Assal.

1 302. Given the impossible suggestion that Plaintiff take Assal, who had only four hours to
2 live, on a seven hour drive to Davis, Plaintiff did not take the seven hour drive with Assal to UC
3 Davis and Hadar and the Defendants continued their charging the Plaintiff for their treatment of
4 Assal.

5 303. The fact is UC Davis San Diego, just two hours away, was within range for Assal
6 given Assal's condition and would not require any relocation by the Plaintiff, all directly contrary to
7 Hadar's statements.

8 304. The Defendants disregarded the Plaintiff's strict instructions that the aforementioned
9 drugs were not be given to Assal and the Defendants administered these drugs to Assal, unbeknown
10 to plaintiff, shortly before she died.

11 305. The Defendants even gave Assal an "off label drug" that is, a drug that has not been
12 approved for use in dogs, which the Plaintiff was opposed to.

13 306. The drug given was actually a form of Viagra, something inappropriate given
14 Assal's documented heart condition, and further inappropriate as the drug has not been approved
15 for use in dogs.

16 307. Even more shocking is the blatant disregard by the defendants of the cardiologists'
17 conclusion that Assal's IV fluid treatment needed to be closely monitored.

18 308. In fact, as confirmed by renal experts, at this juncture of care Assal should have been
19 treated by the cardiologist, something Hadar should have realized.

20 309. Instead, Hadar and the other Defendants put Assal on an aggressive fluid treatment
21 plan—a plan that would irrefutably further stress her heart and pulmonary functioning.

22 310. As one expert states: "A dog does not live very long if it can't breathe or its heart
23 stops beating. These will kill a dog, or a person, far sooner than kidney failure. You treat the
24 cardiopulmonary issues first and foremost."

25 311. This the Defendants failed to do.

26 312. A consequence of intravenous fluid treatment, in addition to a greater burden on the
27 heart, is the potential for causing fluid overload, and one such form of fluid overload can be fluid in
28

1 the lungs which can lead to pulmonary edema which in turn can lead to congestive heart failure and
2 death, which is what occurred with Assal as a result of the Defendants' negligent care.

3 313. "Over-infusion of IV fluids may cause fluid retention.... Fluid retention can lead to
4 pulmonary edema, which causes shortness of breath, crackles sounds in the lungs... difficulty
5 breathing, chest pain and a change in breathing pattern."

6 314. Despite the fact that the cardiologist had specifically expressed concerns about Assal
7 and fluid treatment, stating Assal needed to be "**closely monitored**", the irrefutable fact is the
8 defendants, including defendants Hadar, Geiger, Street and Cole failed to *closely monitor* Assal,
9 failing to frequently check Assal's condition in terms of fluid levels and their impact on Assal's
10 heart and lungs.

11 315. Even after Assal was diagnosed with crackle sounds in her lungs, clearly indicating
12 her lungs were filling with fluid, and even after the Defendants were advised to "closely monitor"
13 Assal during fluid treatment, the Defendants still failed to closely monitor Assal.

14 316. An IV was inserted into Assal and she was left unattended and without close
15 monitoring, despite the risk of aggressive administration of IV fluid to Assal's survival.

16 317. In effect, Assal was slowly suffocating.

17 318. Furthermore, Hadar's own records show she failed to realize Assal was suffering
18 from crackles, yet even defendant Street noted the crackling, and repeatedly so.

19 319. One shift Streete would note "crackles" then later Hadar would fail to note any
20 crackles, and back and forth, yet at no point did Hadar or any of the other Defendants work
21 together to determine why the crackling was inconsistently and in fact contradictorily, noted in
22 Assal's chart.

23 320. The lack of reported crackles by Hadar reveals Hadar's failure to properly examine
24 Assal.

25 321. With crackles in her lungs and an increased respiratory rate, the Defendants should
26 have, but failed to, take a chest X-ray to determine Assal's condition.

1 322. With crackling noises detected in her lungs and detected heart murmur, the
2 Defendants should have “closely monitored” Assal’s condition, which the Defendants’ own records
3 reveal they failed to do.

4 323. Essentially, fluid builds in the lungs (known as a “fluid overload”) when a patient is
5 given an IV that is introducing fluid, hour by hour, into the patient, making it more and more
6 difficult for the patient to breathe, and left untreated, this condition leads to congestive heart failure.

7 324. Pulmonary edema, can lead to fatal respiratory distress or congestive heart failure
8 due to hypoxia.

9 325. The Defendants were engaging in “aggressive” treatment with their excessive
10 hydration for the purpose of addressing what they claimed was acute kidney failure.

11 326. However, a veterinary review of the records shows the Defendants failed to establish
12 the fundamental issue of what stage of renal dysfunction Assal was suffering.

13 327. To do this, the “gold standard test” the “pivotal” test, for determining kidney
14 functioning is the GFR. “Glomerular filtration rate (GFR) has long been considered the best overall
15 index of kidney function in health and disease. The rationale is that GFR is a property of the kidney,
16 has a large range, and is affected by physiologic, pharmacologic, and pathologic conditions.
17 Furthermore, GFR decline is associated with many physiologic and clinical consequences and is
18 correlated with decline in other excretory functions, such as tubular reabsorption and secretion, as
19 well as endocrine and metabolic functions. Decreased GFR is one criterion in the definition and
20 staging of acute and chronic kidney diseases, and GFR estimating equations are recommended for
21 routine use for kidney function assessment in clinical practice....to date, no alternative measure has
22 been proposed to replace GFR as an index of kidney function or decreased GFR as a criterion for
23 defining kidney disease.”

24 328. “Glomerular filtration rate (GFR) is considered the single most useful and sensitive
25 test of renal function.... Assessment of GFR is therefore pivotal for evaluating severity and
26 progression of renal diseases, especially chronic kidney diseases (CKD). (*Glomerular Filtration*
27 *Rate In Dogs And Cats*, International Renal Interest Society (IRIS) [http://www.iris-](http://www.iris-kidney.com/education/gfr.html)
28 [kidney.com/education/gfr.html](http://www.iris-kidney.com/education/gfr.html))

1 329. However, a review of the Defendants' records, rather shockingly reveals the
2 Defendants, who represent themselves to be *the specialist facility* (e.g., "Advanced Critical Care
3 and Emergency Specialty Services") failed to determine the GFR, a simple test typically based on
4 urine analysis over a 24 hour period or blood serum, particularly simple tests considering Assal was
5 in the Defendants care for more than 24 hours before she died.

6 330. In other words, the Defendants failed to determine what state of kidney disease Assal
7 had, or specifically, what percentage of kidney functioning she had.

8 331. These are *vital* determinations to make when choosing a course of treatment.

9 332. It is necessary to determine priorities when treating multiple systems and where the
10 kidney functioning was sufficient, engaging in aggressive treatment that lead to Assal's death due
11 to pulmonary and cardiac issues, would negligence and malpractice.

12 333. Absent total renal failure, first and foremost (even with kidney failure) would be
13 ensuring the patient can breathe and has a stable beating heart.

14 334. Absent these tests and their results, the Defendants were to a degree driving in the
15 dark with their headlights off in their treatment of Assal.

16 335. Assal had already been diagnosed with heart murmur and mitral valve issue and
17 other heart conditions and at her age she was clearly at increased risk for congestive heart failure.

18 336. On multiple occasions, plaintiff had taken Assal to ACCESS for her increased
19 breathing effort, crackling and fluid intolerance.

20 337. With a heart condition and with crackle noises in Assal's lungs, the Defendants
21 failed to perform any of the basic tests that should have been performed. (E.g., pulmonary edema
22 fluid-to-plasma protein (EF/PL) ratio test; thoracic radiograph; pulse oximetry and arterial blood
23 gas analysis, chest / lung x-ray, etc.)

24 338. Instead, the Defendants performed tests and rendered treatment for issues that were
25 non-issues in a classic case of the patient dying where the doctor is focused on non-critical issues
26 rather than the issues that actually kill the patient. (E.g., you don't worry about a patient with
27 cancer when they are bleeding out from a gunshot wound.)
28

1 339. Even when Defendants saw changes in Assal's condition, her behavior, her state,
2 and data, Defendants failed to reevaluate and adjust the treatment plan accordingly.

3 340. Even the Plaintiff herself intuitively questioned the Defendants' actions, specifically
4 noting how Assal's condition had previously improved when she was given oxygen.

5 341. The Defendants dismissed the Plaintiff's concerns, were rude and belittling, saying,
6 among other things, they were experts and they knew better.

7 342. Yet it was these same Defendants who released Assal to the Plaintiff and in far
8 worse condition than when they admitted her, with her lungs filling with fluid suffocating her to
9 death.

10 343. The fact is the Plaintiff had not brought Assal to the Defendants facility due to any
11 acute health concerns, but instead, was there merely for routine blood tests.

12 344. Plaintiff noted Assal's tongue at discharge had an unusual blue color to it, but the
13 Defendants dismissed the Plaintiff's concerns.

14 345. The blue tongue is the result of cyanosis—a blueish tissue color caused by a lack of
15 oxygen.

16 346. Assal, who had been spritely and energetic when admitted, was unable to even stand
17 after just two and half days in the Defendants' care, and was depressed and weak when she was
18 discharged.

19 347. Numerous pet owners report similar experiences: Their pet was admitted in far
20 better condition than when discharged, often times with their pets dying soon thereafter.

21 348. Assal died just 16 hours after being discharged.

22 349. Unlike human patients, pets are considered property (chattles) rather than intelligent
23 beings and that is exactly how they are treated at ACCESS according to pet owner experiences.
24 (Globally and domestically this view is changing. <http://www.ecorazzi.com/2015/12/31/india-declares-dolphins-non-human-persons/>)

25 350. Plaintiff's experiences parallel other Consumers who have complained their pets
26 went in for minor issues and then, after being convinced to admit their pets, they became more ill or
27 died as a result of the Defendants' treatment.

28

1 a recovery and positive outcome. *"Groopman's research showed that during the course of illness,*
2 *belief and expectation -- two mental states associated with hope -- have an impact on the nervous*
3 *system which, in turn, sets off a chain reaction that makes improvement and recovery more likely.*
4 *This process, he points out, is fundamental to the widely accepted "placebo effect," which is created*
5 *by a hopeful outlook."* <https://www.cnn.com/2013/04/11/health/hope-healing-enayati/index.html>

6 471. Thus, the Defendants' policy of encouraging and even pressuring pet owners by
7 intimidation and fear to leave their pets overnight, while in the Defendants' financial self-interests,
8 is often directly contrary to the pet's health and well-being.

9 472. The adverse effects of pets staying with the Defendants rather than returning home
10 with their owners is commonly seen, often times with fatal consequences, given the Defendants
11 inexperience, lack of continuity, patient mismanagement and poor record keeping.

12 473. As is typical with many of the pets admitted into the Defendants' facility, at the time
13 of admission, Assal was in far better shape when admitted then compared with her condition when
14 she was discharged.

15 474. There are numerous documented cases of pets going in to the Defendants' facility in
16 far better health than when they are released, reflecting the Defendants inexperience and lack of
17 expertise that results in administering the wrong treatments and failing to take into account the pets
18 critical needs. (E.g., Exhibit "1", page 1, RM's dog Ozzy dies hours after routine procedure; see
19 also *Buckley v. City of Angles* (Plaintiff's dog admitted for nutritional support but otherwise strong,
20 capable of walking and running yet when she was discharged barely able to stand and dead within
21 24 hours.)

22 475. Following the unexpected death of Assal as a result of the Defendants' treatment,
23 and in addition to the loss of more than \$22,000, the Plaintiff suffered and continues to suffer from
24 severe depression, guilt and emotional distress.

25 476. Had Assal died with Plaintiff knowing she had done all she could, such as providing
26 the kind of veterinary care the Defendants' specifically represented they were providing (i.e.,
27 "experienced veterinary specialists"), a warm loving home in the last days of life, Plaintiff would
28

1 not be wracked with guilt and questions of "what if" that now will plague her for as long as she
2 lives.

3 477. The Defendants fraud and deceit deprived the Plaintiff of the opportunity to give
4 Assal the proper medical care she sought and even a good meal, thereby depriving Plaintiff of her
5 peace of mind.

6 478. What has devastated the Plaintiff even more so is not just the discovery of the
7 Defendants misfeasance and negligence that caused Assal's death, but the discovery by the Plaintiff
8 that the Defendants had falsely represented the services they were providing the Plaintiff, i.e.,
9 "experienced veterinary specialists" when in fact they were providing the opposite, as outlined
10 herein.

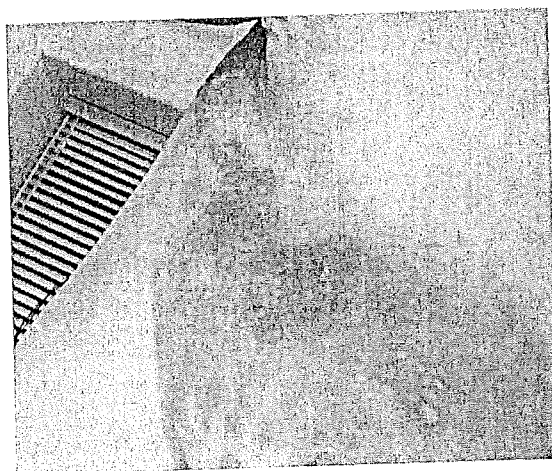
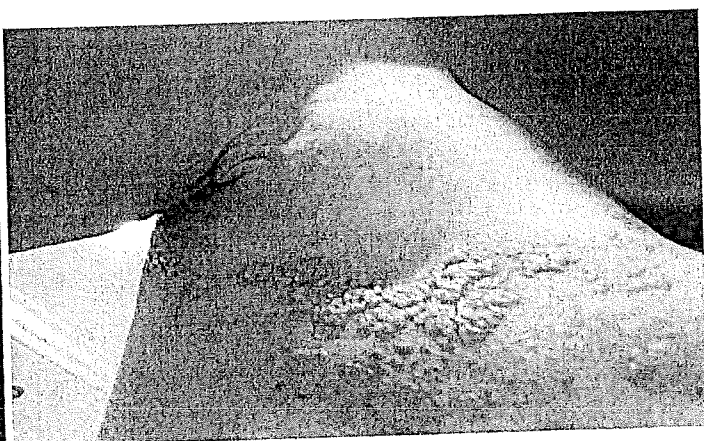
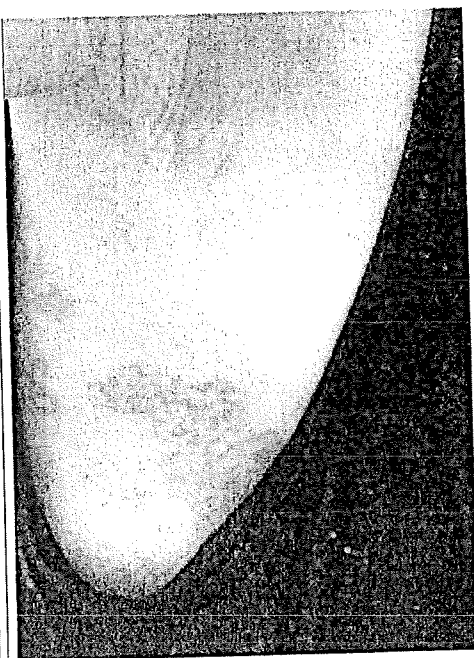
11 479. Plaintiff now knows she did not get Assal the best medical care possible, far from it.

12 480. Plaintiff is plagued by overwhelming guilt for not having discovered the truth about
13 the Defendants and the falsity of their representations in time to protect Assal.

14 481. Later, after Assal's death and upon discovering that the veterinarians treating Assal
15 were not "experienced veterinary specialists" as represented and advertised but instead were quite
16 the opposite, i.e., *general practitioners with as little as five months experience*, the Plaintiff became
17 overwhelmed with grief, guilt and anger, as she realized she had entrusted that which was most
18 important to her (Assal) to these Defendants who had completely misrepresented their services and
19 defrauded her, costing her everything.

20 482. The stress of these emotions arising from this discovery caused the Plaintiff to have
21 a severe case of shingles, as shown in the photos below:
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483. Prior to this, the Plaintiff had never had an outbreak of shingles, but on learning the truth about these veterinarians the Plaintiff had a horrible and terrifying outbreak as a result of the stress caused by learning of the Defendants' fraud.¹

484. This was a terrible time for the Plaintiff, emotionally and physically, as the shingles were excruciatingly painful, causing burning sensations that lasted for long periods of time.

485. The shingles extended from the Plaintiff's chest all the way around her torso to her back, as exhibited in the photograph above.

486. The pain and the burning was so bad Plaintiff was unable to shower for three weeks.

¹ Studies have shown that persons experiencing significant psychological stress are more prone to infection than those who are not under stress. For this reason, stress can also precipitate outbreaks of shingles in some people. (https://www.medicinenet.com/can_stress_cause_shingles/ask.htm)

1 487. Not only were the shingles extremely painful, but unsightly and they interfered with
2 Plaintiff's ability to drive to work and work, with her sleeping, daily activities, her physical and
3 mental well-being.

4 488. While the Plaintiff could take pain pills to deal with the pain at night she was unable
5 to take pain medications when driving or at work.

6 489. Assal's death has forever changed the Plaintiff's life and it has directly impacted her
7 career and her income¹—all the result of the Defendants' pattern and practice of fraud and deceit,
8 and the guilt Plaintiff feels for not discovering the fraud in time to save Assal from the Defendants'
9 treatment.

10 490. Defendants are doing business in the state of California as **Advanced Critical Care**
11 **Emergency and Specialty Services, LLC** ("ACCESS") and the City of Angels Veterinary
12 Specialty Center, LLC.

13 491. Plaintiff is informed and alleges that Defendant Richard Mills is the owner of
14 ACCESS and that he has dominion and control over all actions taken by ACCESS and its
15 employees and representatives.

16 492. Since the inception of their business more than a decade ago, Defendants have a
17 history, pattern and practice of engaging in false and misleading advertisements and representations
18 designed and intended to induce pet owners to retain their services and pay their exorbitant fees—
19 fees that are dramatically higher than veterinary practitioners with similar experience in the same
20 geographic area.

23 ¹ As a result of the Defendants' fraud and deceptive practices and the consequences therefrom, after
24 Assal died the Plaintiff could not return to her home for several days for it was too painful to be in
25 the house she'd lived in for so many years with Assal. Plaintiff stayed with a neighbor but while
26 there the Plaintiff was silent and did not speak. Plaintiff did not eat for five days. Plaintiff missed a
27 week of work and then, when she did return, Plaintiff was not the same, normally very chatty, she
28 spoke only as she needed to for work. Depressed and withdrawn, the Plaintiff refrained from talking
to her friends for more than 6 months. She did not go out to dinner or attend any social gatherings
for 11 months. Plaintiff cried every day for more than a year.

1 512. Plaintiff's companion, Assal, was for all intents and purposes, the Plaintiff's
2 surrogate child as the Plaintiff did not have biological children of her own.

3 513. For fifteen years Plaintiff never took a long-distance vacation because she did not
4 want to be apart from Assal nor leave Assal alone in the care of others.

5 514. Assal was the Plaintiff's source of joy and love, that which was most important to
6 the Plaintiff and Plaintiff made this clear to the Defendants from the outset and prior to her
7 retaining the Defendants' veterinary services, and repeatedly during the Defendants' care.

8 515. Assal was also a companion to the Plaintiff's disabled mother (also a senior citizen
9 and with several disabilities).

10 516. Defendant Mills, the owner and manager of defendant *Advanced Critical Care and*
11 *Emergency Specialty Services*, was informed by the Plaintiff of Assal's significance in writing
12 wherein Plaintiff reiterated to Mills what she had previously stated to the Defendants' staff and
13 treating veterinarians prior to and during treatment: "She was my baby, my daughter, my life, my
14 love, my heart, and my everything. She was more important than life itself. She was cherished at
15 home and never alone. I did not take a vacation for 15 years just to be able to take care of her
16 personally. Further, my house and financial values were willed to her future caretaker."

17 517. The Defendants are known for charging amongst the highest prices in the nation for
18 their veterinary services and they specifically market themselves to the kinds of people who cherish
19 their pets as valued family members and are willing to pay the Defendants' high prices with the
20 expectation they are receiving the care of experienced board certified specialists.

21 518. The Defendants, including defendant Mills, take advantage of pet owners who are
22 willing to pay the Defendants' human medicine-like prices as they consider their pets cherished
23 members of their families.

24 519. Defendants' website makes this clear as they offer the services of a licensed
25 psychologist, a *grief counselor*, on their website, thereby acknowledging the significance of these
26 pets to their customers. [https://accessanimalhospitals.com/our-doctors/kathleen-ayl-psy-d/](https://accessanimalhospitals.com/our-doctors/kathleen-ayl-psy-d/pets-not-parenthood/#3309d0e83963)

27
28 [pets-not-parenthood/#3309d0e83963](https://accessanimalhospitals.com/our-doctors/kathleen-ayl-psy-d/pets-not-parenthood/#3309d0e83963) ("we have our reasons for treating our pets like surrogate
children.")

1 1044. Hadar, Streete, and Geiger were negligent for not evaluating and not responding to
2 the changes in Assal's condition, behavior, and data collected by lab results after Dr. Hadar had
3 increased the iv fluid and continuation of administration of drugs that Plaintiff was opposed to.

4 1045. Hadar, Streete, and Geiger were negligent for not evaluating and not responding in a
5 timely manner to the changes in Assal's condition, behavior, and data collected by lab results.

6 1046. Hadar, Streete, and Geiger were negligent for not changing course of treatment in
7 light of data collected.

8 1047. Hadar, Streete, and Geiger were negligent by adding to the intensity of what they
9 were doing that had resulted to a change in Assal's condition and data for worse, instead of
10 changing course of treatment

11 1048. The defendants breached the duty of care they owed the plaintiff as outlined herein
12 above.

13 1049. The death of Assal was proximately caused by the Defendants' negligent conduct
14 and injury to Assal.

15 1050. Plaintiff has suffered significant damages as a result of the Defendants negligence as
16 will be shown according to proof a trial, including but not limited to money spent on the care of
17 Assal, monies spent regarding Assal's arrangements after her death, and other consequential
18 damages.
19

20 NINTH CAUSE OF ACTION

21 *NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS*

22
23 1051. Plaintiff refers to all preceding paragraphs and incorporates them as if set forth in
24 full in this cause of action.

25 1052. As a result of the Defendants' conduct in the presence of the Plaintiff, the
26 defendants' conduct caused her to suffer to suffer serious emotional distress.

27 1053. The Defendants were negligent, as outlined hereinabove.
28

1054. Plaintiff, who was physically present, suffered serious emotional distress as a direct consequence of the Defendants conduct.

1055. The Defendants' negligence was a substantial factor in causing Plaintiff's serious emotional distress.

1056. Plaintiff's emotional distress includes suffering, anguish, nervousness, grief, anxiety, shock, humiliation, and shame.

1057. Plaintiff's emotional distress was so severe it resulted in physical manifestations (shingles) and dramatically adversely impacted every aspect of the Plaintiff's life

TENTH CAUSE OF ACTION

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

1058. Plaintiff refers to all preceding paragraphs and incorporates them as if set forth in full in this cause of action.

1059. Defendant Hadar's intentional conduct caused the Plaintiff to suffer severe additional emotional distress.

1060. Defendant Hadar's conduct was both outrageous and intended to cause the Plaintiff emotional distress.

1061. After one day in the Defendants' facility the Plaintiff wanted to bring Assal home, but Hadar insisted Assel stay at the Defendants facility, claiming the neurologist had reported Assal had blood pieces in her brain.

1062. Hadar pointed to her own forehead as was saying this, scaring Plaintiff into leaving Assal.

1063. Yet a subsequent review of the medical records show no neurologist ever made such a finding.

1 1064. Then, two days later, Defendant Hadar told the Plaintiff Assal might have only four
2 hours to live and yet Hadar then caused Assal to be held in the back of the Defendant's facility,
3 away from the Plaintiff, delaying Assal's discharge for approximately *two and a half hours!*

4 1065. Hadar did this on purpose and with the intent to cause the Plaintiff extreme
5 emotional distress.

6 1066. Hadar's effort to cause the Plaintiff emotional distress, apparently for not following
7 Hadar's wishes (*infra*) was successful as with each minute that ticked away, minute by minute for
8 approximately two and a half hours, the Plaintiff was under extreme emotional distress, fearing
9 Assal could die at any moment, or that if and when Assal was released she would have no time left
10 to spend with Assal before she died and that her last hours on earth would be alone in a cage.

11 1067. Plaintiff nervously and repeatedly asked the front desk people what was taking so
12 long, but they failed to explain why a dog with four hours to live was taking two and a half hours to
13 be discharged, murmuring something about "that's just how Hadar is."

14 1068. Plaintiff became physically ill, suffering heart palpitations, severe anxiety and shock
15 during this time and she was sick to her stomach.

16 1069. Just prior to this long wait period, Plaintiff was told defendant Hadar wanted to
17 speak with the Plaintiff and the vet tech was to bring the Plaintiff to the room where the
18 Defendants' euthanize pets.

19 1070. The Plaintiff refused to go to this room.

20 1071. Plaintiff was in shock as just a couple of days earlier Assal was in good spirits and
21 dancing about and now Hadar was stating Assal was "definitely passing."

22 1072. Plaintiff came to the veterinary facility for a blood test and not to admit Assal and
23 now here was Hadar trying to pressure Plaintiff into euthanizing Assal.

24 1073. Plaintiff refused Hadar's urgings to euthanize Assal and told Hadar she wanted to
25 take Assal home.

26 1074. Hadar then suggested Plaintiff to take Assal to the Culver City ACCESS facility for
27 dialysis, clearly reflecting Hadar's lack of expertise and familiarity with Assal's medical chart.
28

1 1075. Plaintiff had previously been to the ACCESS location in Culver City and was
2 advised Assal was not a candidate for hemodialysis, as she was also advised by the cardiologist at
3 Woodland Hills, something Hadar should have known had she (1) reviewed Assal's ACCESS
4 medical records as veterinarians at both Culver City and Woodland Hills had previously determined
5 Assal was not a candidate for hemodialysis, or (2) if Hadar was actually a specialist in this area as
6 Plaintiff was led to believe.

7 1076. Having been told the doctors at ACCESS stated Assal was not a candidate for
8 dialysis by the Plaintiff, Hadar, with sarcasm in her voice, suggested the Plaintiff take Assal to UC
9 Davis' Veterinary Hospital—a facility that is at least a six hour drive and 400 miles away.

10 1077. This was particularly shocking as moments earlier Hadar had told the Plaintiff her
11 taking Assal to another veterinarian just 20 minutes down the street would be too stressful a car
12 ride.

13 1078. Plaintiff then stated the obvious, that for a dog that may only have four hours to live
14 and where a 20 minute drive was too stressful, how did Hadar expect the Plaintiff to take Assal on a
15 seven or eight hour drive?

16 1079. Hadar snapped back, stating you could fly there in an hour or two.

17 1080. Plaintiff thought this was ludicrous as it takes far longer to buy a ticket, travel to the
18 airport, go through security, board the plane, in flight time, land and then arrange ground
19 transportation than an hour or two and all this travel and flight would be incredibly stressful on a
20 little dog who Hadar just stated could have as little as four hours to live.

21 1081. Curious, Plaintiff asked how often this would need to be done and Hadar responded,
22 "you will have to relocate there."
23

24 1082. Hadar making such ludicrous suggestions at such a grave time, underscores Hadar's
25 state of mind.

26 1083. As alleged hereinabove, Plaintiff had insisted the Defendants provide her with
27 Assal's medical records even before Assal was discharged, but the Defendants failed to provide the
28 medical records until nearly a month later and weeks after Assal had passed away.

1084. On reviewing the records, Plaintiff discovered defendant Hadar falsely described their meeting and falsely stated that the Plaintiff had “declined further in-hospital supportive therapy and elects to take Assal home.”

1085. This never happened. To the contrary, Hadar's suggestion was simply that Plaintiff euthanize Assal. When Plaintiff refused, the conversation that occurred is outlined herein.

1086. At no time did the Plaintiff refuse any suggested in-house therapy because Hadar made no such therapy suggestions—Hadar’s advice was to euthanize so the Plaintiff took Assal home.

1087. Defendant Hadar intended to cause the Plaintiff severe emotional distress or, at a minimum, acted with a reckless disregard of the probability that Plaintiff would suffer severe emotional distress.

1088. Plaintiff did in fact suffer severe emotional distress, and Defendant Hadar's conduct was a substantial factor in causing Plaintiff's severe emotional distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

1. That pursuant to *Business and Professions Code* §17204 and §17535, all defendants, heirs, officers, directors, principals, assignees, successors, agents, representatives, employees, subsidiaries, affiliates, and all persons, corporations and other entities acting by, through, under, or on behalf of said defendants, or acting in concert or participation with them, be permanently enjoined from directly or indirectly making any illegal, untrue or misleading statements in violation of *Business and Professions Code* §§17200 and 17500, including, but not limited to, the untrue or misleading statements alleged in this Complaint;
2. That pursuant to *Business and Professions Code* §17204, all defendants, their officers, directors, principals, assignees, successors, agents, representatives, employees, subsidiaries, affiliates, and all persons, corporations and other entities acting by, through, under, or on behalf of said defendants, or acting in concert or participation with them, be permanently enjoined from directly or indirectly committing any violations of *Business and Professions Code* § 17200 et seq., including, but not limited to, the violations alleged in this Complaint;

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3. Ordering the disgorgement of all sums unjustly obtained by the Defendants from the Plaintiff;
4. Ordering restitution of profits wrongfully obtained by the Defendants;
5. Ordering defendants to make restitution to Plaintiff;
6. Awarding Plaintiff compensatory damages according to proof at trial in an amount in excess of \$1,000,000.00;
7. Awarding Plaintiff punitive and exemplary damages according to proof and sufficient to deter and make an example of the Defendants;
8. For three times the amount of Plaintiff actual damages, an amount to be proven at trial, cost of suit, and their reasonable attorneys' fees for prosecuting this action, pursuant to California *Penal Code* section 496(c);
9. Awarding prejudgment and post-judgment interest at the maximum legal rate;
10. For all available statutory damages under the CLRA Section 1780;
14. Awarding attorneys' fees according to proof and as available;
15. Awarding costs of suit herein; and
16. All such other and further relief as the Court deems just.



Dated: December 1, 2018

By _____
Tristram Buckley
Counsel for the Plaintiff

EXHIBIT F



Representing Management Exclusively in Workplace Law and Related Litigation

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ELLEN E. COHEN

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E-MAIL ADDRESS: ELLEN.COHEN@JACKSONLEWIS.COM

ALBANY, NY	GREENVILLE, SC	MONMOUTH COUNTY, NJ	RALEIGH, NC
ALBUQUERQUE, NM	HARTFORD, CT	MORRISTOWN, NJ	RAPID CITY, SD
ATLANTA, GA	HONOLULU, HI*	NEW ORLEANS, LA	RICHMOND, VA
AUSTIN, TX	HOUSTON, TX	NEW YORK, NY	SACRAMENTO, CA
BALTIMORE, MD	INDIANAPOLIS, IN	NORFOLK, VA	SALT LAKE CITY, UT
BIRMINGHAM, AL	JACKSONVILLE, FL	OMAHA, NE	SAN DIEGO, CA
BOSTON, MA	KANSAS CITY REGION	ORANGE COUNTY, CA	SAN FRANCISCO, CA
CHICAGO, IL	LAS VEGAS, NV	ORLANDO, FL	SAN JUAN, PR
CINCINNATI, OH	LONG ISLAND, NY	PHILADELPHIA, PA	SEATTLE, WA
CLEVELAND, OH	LOS ANGELES, CA	PHOENIX, AZ	ST. LOUIS, MO
DALLAS, TX	MADISON, WI	PITTSBURGH, PA	TAMPA, FL
DAYTON, OH	MEMPHIS, TN	PORTLAND, OR	WASHINGTON, DC REGION
DENVER, CO	MIAMI, FL	PORTSMOUTH, NH	WHITE PLAINS, NY
DETROIT, MI	MILWAUKEE, WI	PROVIDENCE, RI	
GRAND RAPIDS, MI	MINNEAPOLIS, MN		

*through an affiliation with Jackson Lewis P.C., a Law Corporation

April 22, 2019

Ann A. Hull, Esq.
LAW OFFICES OF ANNA A. HULL, INC.
21900 Burbank Boulevard
Third Floor
Woodland Hills, California 91367

Re: ***Roya Saghafi v. Palisades Charter High School, et al.***
Los Angeles Superior Court, Case No. BC708497

Dear Counsel:

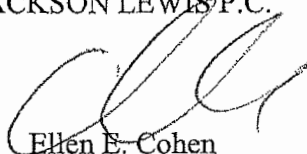
As you know, at Plaintiff Roya Saghafi's ("Plaintiff") deposition she testified that her experience working at Defendant Palisades Charter High School ("Defendant") caused her to suffer from emotional distress, from which she claims that she continues to suffer. Plaintiff's testimony was consistent with the allegations in her Complaint, as well as her written discovery responses. Further, Plaintiff testified that she may have been diagnosed with depression and anxiety prior to her employment with Defendant. In addition, in March 2018, Plaintiff filed a claim against Access Specialty Animal Hospitals, et al, case number SC128992, alleging (among other things) a cause of action for Intentional Infliction of Emotional Distress. These facts seriously call into question the nature and degree to which Defendants in this case may have caused Plaintiff to suffer any mental and/or emotional injuries.

In light of the above, Plaintiff has put her mental and emotional state in controversy. As such, Defendant is entitled to an independent mental examination of Plaintiff in order to mount an adequate defense to Plaintiff's claims at trial. Code Civ. Proc. § 2032.320(a); *Vinson v. Superior Court* (1987) 43 Cal.3d 833, 839.

To that end, enclosed for your review is a stipulation for Plaintiff to submit to an independent mental examination. We ask that you respond to our proposed stipulation by April 29, 2019. If we do not receive a response from you in a timely matter, we will seek court intervention in order to compel Plaintiff's independent mental examination.

Very truly yours,

JACKSON LEWIS P.C.



Ellen E. Cohen

EEC | ae

Enclosure

1 Theresa M. Marchlewski (SBN 82429)
2 Ellen E. Cohen (SBN 258131)
3 **JACKSON LEWIS P.C.**
4 725 South Figueroa Street, Suite 2500
5 Los Angeles, California 90017-5408
6 Telephone: (213) 689-0404
7 Facsimile: (213) 689-0430
8 Email: theresa.marchlewski@jacksonlewis.com
9 Email: ellen.cohen@jacksonlewis.com

10 Attorneys for Defendants
11 PALISADES CHARTER HIGH SCHOOL and
12 AMY NGUYEN

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14
15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**
17

18 ROYA SAGHAFI, an individual,

19 Plaintiff,

20 vs.

21 PALISADES CHARTER HIGH SCHOOL, a
22 corporation; AMY NGUYEN, an individual; and
23 DOES 1 through 10,

24 Defendants.

CASE NO.: **BC708497**

*[Assigned for all purposes to the Honorable Ruth
Ann Kwan, Department 72]*

**STIPULATION REGARDING MENTAL
EXAMINATION OF PLAINTIFF ROYA
SAGHAFI; [PROPOSED] ORDER**

Complaint Filed: June 1, 2018

25 Pursuant to Code of Civil Procedure §§ 2016.030 and 2032.010 *et seq.*, Plaintiff Roya Saghafi
26 (“Plaintiff”), Defendant Palisades Charter High School (“Defendant”), and their respective attorneys of
27 record (collectively, the “Parties”) hereby agree and stipulate that Plaintiff shall submit to a mental
28 examination pursuant to the request of Defendant as follows:

This stipulation shall control the rights and obligations of the Parties with respect to the mental
examination of the Plaintiff in this case.

It is hereby stipulated by and between Plaintiff ROYA SAGHAFI (“Plaintiff”) and Defendant
PALISADES CHARTER HIGH SCHOOL (“Defendant”) (Plaintiff and Defendant collectively referred
to as the “Parties”); through their respective counsel of record, that Plaintiff will submit to a psychiatric

1 examination pursuant to *Code of Civil Procedure* section 2032.320(c) on the following terms and
2 conditions:

3 1. This stipulation shall control the rights and obligations of the Parties with respect to the
4 mental examination of the Plaintiff in this case.

5 2. Plaintiff shall submit to a mental examination on _____, 2019, at 9:00 a.m. at the
6 offices of Dr. James High, MD, 1990 South Bundy Drive, Suite 430, Los Angeles, California 90025.
7 Dr. High is a psychiatrist who is board certified to practice in California. Dr. High is currently in private
8 practice and also is a Clinical Professor of Psychiatry at the University of Southern California Keck
9 School of Medicine. Please see Dr. High's CV attached hereto as Exhibit 1.

10 3. The scope of the mental examination, other than described at Paragraph 5 below, shall
11 consist of a clinical psychological interview including personal history, social history, educational
12 history, work history, medical history and an evaluation of the events which Plaintiff claims were the
13 cause or causes of her current emotional distress that she attributes to Defendants' alleged misconduct;
14 but such questioning shall not be undertaken for the sole purpose of causing Plaintiff additional pain or
15 discomfort and reasonable efforts will be made to exercise due care and sensitivity to Plaintiff while
16 effectively conducting the examination. The interview also will include a mental status examination
17 that evaluates Plaintiff's affect, mood, speech, thought processes, memory, sensorium and other mental
18 functions.

19 4. The mental examination is estimated to last approximately three (3) to four (4) hours,
20 excluding reasonable breaks. Breaks for personal comfort or necessity may be taken as needed. Only
21 Dr. High and Plaintiff shall be present. In some cases, because the flow of information is largely
22 dependent on the Plaintiff, and/or because the examination starts late, or because of the complexity of
23 the history or issues, or because of communication problems, the examination might require more time.
24 If Dr. High is unable to complete the examination on the scheduled day, Plaintiff agrees to cooperate
25 with Defendant and Dr. High in arranging a mutually convenient date and time on which to continue the
26 mental examination.

27 5. Dr. High will administer a standard validated series of psychological tests, to be chosen at
28 the discretion of Dr. High. This is estimated to take approximately three (3) to four (4) hours. The tests

1 will include: (1) Minnesota Multiphasic Personality Inventory-2 (MMPI-2); (2) Personality Assessment
2 Inventory (PAI); and (3) Trauma Symptom Inventory (TSI-2). Dr. High may also administer the
3 following tests: Dissociative Experience Scale (DES), Many Mental State Examination II, Rorschach R-
4 PAS; and Clinician Administered PPSD Scale.

5 6. In the event Plaintiff cancels the mental examination or psychological testing referred to
6 in Paragraphs 2 through 7 above for any reason, either with or without notice, Plaintiff agrees to
7 reschedule such mental examination or testing and to submit to the rescheduled mental examination or
8 testing on the terms and conditions stated herein, whether such rescheduled examination or testing
9 occurs before or after the discovery cut-off date for this action. In the event Plaintiff refuses to
10 reschedule, is not cooperative or is non-responsive in such mental examination or in the psychological
11 testing, Defendant shall be entitled to pursue, whether before or after the discovery cutoff date, any
12 remedy or remedies available to Defendant under the Code of Civil Procedure and the Local Rules of
13 the Court to compel Plaintiff to comply fully with the provisions of this stipulation.

14 7. The examination may be audiotaped by the participants pursuant to *Code of Civil*
15 *Procedure* section 2032.530. Any party in possession of an audio recording shall provide a copy to the
16 other party upon request pursuant to *Code*.

17 8. Costs of the examination will be paid by Defendant.

18 9. All aspects of the examination shall be maintained in a confidential manner except that
19 they may be disclosed and used by Dr. High, his staff, and by the litigants and counsel in this case solely
20 for the purposes of this case and is subject to the Stipulated Protective Order.

21 10. Written reports prepared by Dr. High shall be provided to Plaintiff's counsel upon
22 request pursuant to *Code of Civil Procedure* section 2032.610.

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1 **IT IS SO STIPULATED.**

2
3 Dated: April ___, 2019

LAW OFFICES OF ANN A. HULL, INC.

4
5 By: _____
6 Ann A. Hull

7 Attorneys for Plaintiff
8 ROYA SAGHAFI

9 Dated: April ___, 2019

JACKSON LEWIS P.C.

10
11 By: _____
12 Theresa M. Marchlewski
13 Ellen E. Cohen

14 Attorneys for Defendants
15 PALISADES CHARTER HIGH SCHOOL and
16 AMY NGUYEN
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EXHIBIT 1

BEHAVIORAL DIAGNOSTICS MEDICAL GROUP, INC.

Adult Psychiatry
1990 South Bundy Drive
Suite 430
Los Angeles, California 90025

James R. High, M.D.
Diplomate American Board
of Psychiatry and Neurology

Phone: (310) 395-8711
Fax: (310) 395-3098
jrhigh@drhigh.com

CURRICULUM VITAE

Name: James R. High, M.D.
Tax ID #: 95-3368335
Office Address: 501 Santa Monica Boulevard, Suite 400
Santa Monica, California 90401
Office Telephone: (310) 395-8711
Specialty: Adult Psychiatry

EDUCATION:

- . Indiana University, Bloomington, Indiana - B.A., Medical Science 1965
- . Indiana University School of Medicine - Doctor of Medicine 1968
- . Los Angeles County-University of Southern California Medical Center
- Internship 1968-1969
- . Los Angeles County-University of Southern California Medical Center,
Resident in Psychiatry 1969-1972
- . Chief Resident in Psychiatry, Los Angeles County-University of Southern
California Medical Center 1971-1972

LICENSURE:

Physician and Surgeon's License (State of California #C31416)
DEA Narcotics License #AH 4401256
Qualified Medical Evaluator - Psychiatry - State of California #001489 (1996-1998)

BOARD CERTIFICATION:

Diplomate, American Board of Psychiatry and Neurology --
Psychiatry, April, 1976. Certificate No. 14829

ACADEMIC APPOINTMENTS:

- . Clinical Professor of Psychiatry --
University of Southern California Keck School of Medicine --
1976 to present

CURRENT PROFESSIONAL ACTIVITIES:

- . Private Practice -- Full time, 1972 to present
- . Supervision of Senior Residents of Los Angeles County --
USC Medical Center, 1988 to present

PAST PROFESSIONAL ACTIVITIES:

- . Psychiatric Consultant – Los Angeles County Metropolitan Transit Authority --
Traumatic Injury Program, 1990 to 2002.
- . Taught seminar weekly on interview techniques and psychiatric diagnostic
evaluations to USC medical students – 1977 to 1988
- . Director of Adult Psychiatry – Western Institute of Human Resources – 1972.
- . Staff Psychiatrist – California Department of Corrections Adult Parole Outpatient
Clinic – Los Angeles – 1971-1972.
- . Teach Seminars and Supervise in USC Traumatic Stress Clinic - 2001 to 2010.
Department of Psychiatry, LAC-USC Medical Center,

HOSPITAL AFFILIATIONS:

- . LAC/USC Medical Center - Member, Professional Staff Association

PROFESSIONAL SOCIETY MEMBERSHIPS:

- . American Psychiatric Association (Life Fellow)
- . Southern California Psychiatric Society
- . California Psychiatric Association
- . The International Society for Traumatic Stress Studies
- . American Academy of Psychiatry and the Law
- . Academy of Consultation-Liaison Psychiatry
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EXHIBIT G

BEHAVIORAL DIAGNOSTICS MEDICAL GROUP, INC.

Adult Psychiatry
1990 South Bundy Drive
Suite 430
Los Angeles, California 90025

James R. High, M.D.
Diplomate American Board
of Psychiatry and Neurology

Phone: (310) 395-8711
Fax: (310) 395-3098
jrhigh@drhigh.com

CURRICULUM VITAE

Name: James R. High, M.D.
Tax ID #: 95-3368335
Office Address: 501 Santa Monica Boulevard, Suite 400
Santa Monica, California 90401
Office Telephone: (310) 395-8711
Specialty: Adult Psychiatry

EDUCATION:

- . Indiana University, Bloomington, Indiana - B.A., Medical Science 1965
- . Indiana University School of Medicine - Doctor of Medicine 1968
- . Los Angeles County-University of Southern California Medical Center
- Internship 1968-1969
- . Los Angeles County-University of Southern California Medical Center,
Resident in Psychiatry 1969-1972
- . Chief Resident in Psychiatry, Los Angeles County-University of Southern
California Medical Center 1971-1972

LICENSURE:

Physician and Surgeon's License (State of California #C31416)
DEA Narcotics License #AH 4401256
Qualified Medical Evaluator - Psychiatry - State of California #001489 (1996-1998)

BOARD CERTIFICATION:

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Psychiatry, April, 1976. Certificate No. 14829

ACADEMIC APPOINTMENTS:

- . Clinical Professor of Psychiatry --
University of Southern California Keck School of Medicine --
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- . Private Practice -- Full time, 1972 to present
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USC Medical Center, 1988 to present

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HOSPITAL AFFILIATIONS:

- . LAC/USC Medical Center - Member, Professional Staff Association

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- . Southern California Psychiatric Society
- . California Psychiatric Association
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EXHIBIT H

Cohen, Ellen E. (LA)

From: Cohen, Ellen E. (LA)
Sent: Monday, May 6, 2019 10:03 AM
To: 'ann hull'
Subject: Saghafi v. PCHS

Hi Ann

I hope all is well on your end. I am following up on our previous discussions regarding Plaintiff's agreement to stipulate to an IME. You had previously indicated that Ms. Saghafi will not agree to stipulate. Please confirm whether the is the case. If so, we will proceed with filing our motion.

Thanks!

Ellen E. Cohen
Attorney at Law
Jackson Lewis P.C.
725 South Figueroa Street
Suite 2500
Los Angeles, CA 90017
Direct: (213) 630-8240 | Main: (213) 689-0404
Ellen.Cohen@Jacksonlewis.com | www.jacksonlewis.com

Jackson Lewis P.C. is honored to be recognized as the "Innovative Law Firm of the Year" by the International Legal Technology Association (ILTA) and is a proud member of the CEO Action for Diversity and Inclusion initiative

EXHIBIT I

Theresa M. Marchlewski (SBN 82429)
Ellen E. Cohen (SBN 258131)
JACKSON LEWIS P.C.
725 South Figueroa Street, Suite 2500
Los Angeles, California 90017-5408
Telephone: (213) 689-0404
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Email: theresa.marchlewski@jacksonlewis.com
Email: ellen.cohen@jacksonlewis.com

Attorneys for Defendants
PALISADES CHARTER HIGH SCHOOL and
AMY NGUYEN

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

ROYA SAGHAFI, an individual,

Plaintiff,

vs.

PALISADES CHARTER HIGH SCHOOL, a
corporation; AMY NGUYEN, an individual; and
DOES 1 through 10,

Defendants.

CASE NO.: **BC708497**

*[Assigned for all purposes to the Honorable Ruth
Ann Kwan, Department 72]*

**DEFENDANTS' DEMAND FOR
INDEPENDENT MEDICAL EXAMINATION
OF PLAINTIFF ROYA SAGHAFI**

Date: June 17, 2019
Time: 9:00 am
Place: 990 South Bundy Drive
Suite 430
Los Angeles, CA 90025

Complaint Filed: June 1, 2018

1 Pursuant to California Code of Civil Procedure §2032.220, Defendants PALISADES CHARTER
2 HIGH SCHOOL and Amy Nguyen ("Defendants") hereby demand Plaintiff ROYA SAGHAFI
3 ("Plaintiff") appear for an Independent Medical Examination on June 17, 2019 at 9:00 a.m. at 1990
4 South Bundy Drive, Suite 430, Los Angeles, CA 90025. The examination will take place from 9:00
5 a.m. to 5:00 p.m. and shall be conducted by Dr. James High. Dr. High is a psychiatrist who is board
6 certified to practice in California. Dr. High is currently in private practice and also is a Clinical
7 Professor of Psychiatry at the University of Southern California Keck School of Medicine. Drs. High's
8 curriculum vitae is attached hereto as Exhibit A. Only Plaintiff and Dr. High shall be present.

9 The scope of the mental examination shall consist of a clinical psychological interview and a
10 standard validated series of psychological tests administered by Dr. High.

11 The clinical psychological interview shall include assessment of Plaintiff's personal history,
12 social history, educational history, work history, medical history and an evaluation of the events which
13 Plaintiff claims were the cause or causes of her current emotional distress that she attributes to
14 Defendants' alleged misconduct; but such questioning shall not be undertaken for the sole purpose of
15 causing Plaintiff additional pain or discomfort and reasonable efforts will be made to exercise due care
16 and sensitivity to Plaintiff while effectively conducting the examination. The interview also will
17 include a mental status examination that evaluates Plaintiff's affect, mood, speech, thought processes,
18 memory, sensorium and other mental functions. The interview is estimated to last approximately three
19 (3) to four (4) hours, excluding reasonable breaks. Breaks for personal comfort or necessity may be
20 taken as needed. Only Plaintiff and Dr. High shall be present. In some cases, because the flow of
21 information is largely dependent on the Plaintiff, and/or because the examination starts late, or because
22 of the complexity of the history or issues, or because of communication problems, the examination
23 might require more time but no more than an additional three (3) hours. If Dr. High is unable to
24 complete the examination on the scheduled day, Plaintiff agrees to cooperate with Defendants and Dr.
25 High in arranging a mutually convenient date and time on which to continue the mental examination.

26 Dr. High will administer a standard validated series of psychological tests, to be chosen at the
27 discretion of Dr. High. This is estimated to take approximately three (3) to four (4) hours. The tests will
28 include: (1) Minnesota Multiphasic Personality Inventory-2 (MMPI-2); (2) Personality Assessment

1 Inventory (PAI); and (3) Trauma Symptom Inventory (TSI-2). Dr. High may also administer the
2 following tests: Dissociative Experience Scale (DES), Many Mental State Examination II, Rorschach R-
3 PAS, and Clinician Administered PPSD Scale

4 In the event Plaintiff cancels the mental examination or psychological testing referred to above
5 for any reason, either with or without notice, Plaintiff agrees to reschedule such mental examination or
6 testing and to submit to the rescheduled mental examination or testing on the terms and conditions stated
7 herein, whether such rescheduled examination or testing occurs before or after the discovery cut-off date
8 for this action. In the event Plaintiff refuses to reschedule, is not cooperative or is non-responsive in
9 such mental examination or in the psychological testing, Defendants shall be entitled to pursue, whether
10 before or after the discovery cutoff date, any remedy or remedies available to Defendants under the
11 Code of Civil Procedure and the Local Rules of the Court to compel Plaintiff to comply fully with the
12 provisions of this stipulation.

13 The examination may be audiotaped by the participants pursuant to Code of Civil Procedure
14 § 2032.530. Any party in possession of an audio recording shall provide a copy to the other party upon
15 request pursuant to Code.

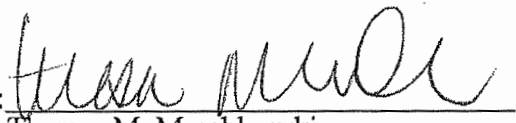
16 Costs of the examination will be paid by Defendants.

17 All aspects of the examination shall be maintained in a confidential manner except that they may
18 be disclosed and used by Dr. High, his staff, and by the litigants and counsel in this case solely for the
19 purposes of this case.

20 Written reports prepared by Dr. High shall be provided to Plaintiff's counsel upon request
21 pursuant to Code of Civil Procedure § 2032.610.

22 Dated: May 6, 2019

JACKSON LEWIS P.C.

23
24 By: 
25 Theresa M. Marchlewski
26 Ellen E. Cohen

27 Attorneys for Defendants
28 PALISADES CHARTER HIGH SCHOOL and
AMY NGUYEN

EXHIBIT A

BEHAVIORAL DIAGNOSTICS MEDICAL GROUP, INC.

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CURRICULUM VITAE

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1 **PROOF OF SERVICE**

2 **SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 **CASE NAME:** *Roya Saghafi v. Palisades Charter High School, et al.*

4 **CASE NUMBER:** BC708497

5 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and
6 not a party to the within action; my business address is 725 South Figueroa Street, Suite 2500, Los
Angeles, California 90017.

7 On **May 13, 2019**, I served the foregoing document described as:

8 **DECLARATION OF ELLEN E. COHEN IN SUPPORT OF DEFENDANT'S MOTION TO**
9 **COMPEL INDEPENDENT MENTAL EXAMINATION OF PLAINTIFF; AND REQUEST FOR**
10 **MONETARY SANCTIONS**

in this action by transmitting a true copy thereof enclosed in a sealed envelope addressed as follows:

11 Ann A. Hull, Esq.
12 Hannah J. Robinson, Esq.
13 LAW OFFICES OF ANN A. HULL, INC.
14 21900 Burbank Boulevard, Third Floor
Woodland Hills, California 91367
Telephone: (818) 606-6618
Facsimile: (818) 322-1321

15 *Attorneys for Plaintiff*
Roya Saghafi

16 **[X] BY PERSONAL SERVICE** I caused to be delivered such document by hand to the above-
17 identified recipient through the use of **ACE Legal Attorney Services** whose address is: 811 Wilshire
Boulevard, Los Angeles, CA 90017, and whose telephone number is (213) 623-3979.

18 **[X] STATE** I declare under penalty of perjury under the laws of the State of California that the
19 above is true and correct.

20 Executed on **May 13, 2019** at Los Angeles, California.

21 
22 ARTHUR ESCALANTE